

war prohibition; also of Sarah M. Witten, Berkshire, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. RAMSEYER: Petition of members of the Willard Street Methodist Episcopal Church, Ottumwa, Iowa, protesting against polygamy; to the Committee on the Judiciary.

By Mr. STEELE: Petition of residents of Easton, Pa., for the amendment of the Constitution to prevent polygamy in the United States; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of headquarters, R. A. Pierce Post, No. 190, Grand Army of the Republic, New Bedford, Mass., indorsing Smoot bill, so called; to the Committee on Invalid Pensions.

Also, petition of the president of the Holyoke Belting Co., Holyoke, Mass., indorsing increased postal rates for publishers, effective July 1, 1913, and condemning postponement of the increase; to the Committee on Ways and Means.

Also, petition of Henry I. Harriman, president of the Chamber of Commerce, Boston, Mass., advocating the retention of the pneumatic-tube service by the conferees on the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, telegrams from Ed Flash, jr., vice president of the New York Produce Exchange, and from Alfred E. Marling, president of the Chamber of Commerce of the State of New York, indorsing the amendment to the Post Office appropriation bill by Senator Calder providing for new rates on first-class mail in New York City; to the Committee on the Post Office and Post Roads.

By Mr. WOODYARD: Petition of Local Union No. 350, Journeymen Tailors' Union of America, of Parkersburg, W. Va., favoring the enactment of the Smith-Sears rehabilitation bill; to the Committee on Education.

Also, petition of No. 249, Huntington Lodge, International Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America, asking for the repeal of the recently enacted zone postal law; to the Committee on Ways and Means.

SENATE.

FRIDAY, May 24, 1918.

(Legislative day of Thursday, May 23, 1918.)

The Senate met at 12 o'clock noon.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

Mr. FRELINGHUYSEN. I wish to report the necessary absence of the members of the Committee on Military Affairs, which committee is in session.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	Nelson	Sterling
Brandegee	Hitchcock	New	Sutherland
Culberson	Johnson, Cal.	Norris	Swanson
Cummins	Johnson, S. Dak.	Nugent	Thomas
Curtis	Jones, Wash.	Overman	Thompson
Dillingham	Kellogg	Page	Tillman
Fernald	Kendrick	Pomerene	Townsend
Fletcher	Kenyon	Ransdell	Trammell
Frelinghuysen	King	Saulsbury	Underwood
Gallinger	Kirby	Shafroth	Vardaman
Gerry	Lenroot	Sheppard	Wadsworth
Gronna	McKellar	Sherman	Warren
Guion	McLean	Shields	Watson
Hale	McNary	Simmons	Weeks
Harding	Martin	Smith, Mich.	Wildley

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. Goff], is necessarily absent on account of illness.

Mr. WARREN. The Committee on Military Affairs are in session and Senators NEW, JOHNSON of California, WEEKS, REED, CHAMBERLAIN, and THOMAS ask that they may be recorded as present. They are on public service.

Mr. KIRBY. I wish to announce that my colleague, the senior Senator from Arkansas [Mr. ROBINSON], is absent on official business. I desire also to announce that the senior Senator from Kentucky [Mr. JAMES] is detained on account of illness.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; asks a conference with the

Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9100) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10027) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10477) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10850) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11364) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11663) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGLEY managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had passed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 4910. An act to authorize the establishment of a town site on the Fort Hall Indian Reservation, Idaho;

H. R. 5489. An act to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co.; and

H. R. 9715. An act extending the time for the construction of a bridge across the Bayou Bartholomew, in Ashley County, Wilcox Township, State of Arkansas.

PETITIONS.

Mr. TOWNSEND presented a petition of Bend of the River Grange, Patrons of Husbandry, of Niles, Mich., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Kalamazoo, Mich., praying for national prohibition as a war measure, which was ordered to lie on the table.

ESTATE OF RUDOLPH H. VON EZDORF, DECEASED.

Mr. GRONNA, from the Committee on Claims, to which was referred the bill (S. 2474) for the relief of the widow of Rudolph H. von Ezdorf, deceased, reported it with an amendment and submitted a report (No. 465) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 4600) authorizing the appointment of Fernando L. Birrer as marine gunner on the retired list of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. WATSON:

A bill (S. 4601) to correct military record of James McD. Hays; to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 4602) granting a pension to Willis Gray Southerland; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 4603) to further protect interstate and foreign commerce against bribery and other corrupt trade practices; to the Committee on the Judiciary.

By Mr. OVERMAN:

A bill (S. 4604) to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes; to the Committee on the Judiciary.

AMENDMENT TO DISTRICT APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to appropriate \$2,000 to aid the Columbia Polytechnic Institute for the Blind in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On May 22, 1918:

S. 3911. An act authorizing national banks to subscribe to the American National Red Cross.

On May 23, 1918:

S. 2123. An act to regulate the practice of podiatry in the District of Columbia.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDING OFFICER (Mr. GALLINGER in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments

of the Senate to the bill (H. R. 10027) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10477) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10850) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11364) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11663) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

VOCATIONAL REHABILITATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes.

Mr. WADSWORTH. Mr. President, I assume that the Senator from Georgia [Mr. SMITH], who, I understand, is attending a meeting of the Committee on Military Affairs, desires the Senate to continue the consideration of this bill. If that is the case, I am ready to discuss it for a short time longer.

When the Senate took a recess yesterday afternoon I was starting on a discussion of the experience of Canada in taking care of this problem of reconstruction or rehabilitation of disabled soldiers. I had referred to an article prepared by Mr. John L. Riley on the Canadian experience. Mr. Riley has made a very careful study of the Canadian experience, and his conclusions, I find, are to the effect that through divided control there has been some friction in the Canadian experience.

Although, as I said yesterday, Canada has done excellent work and has achieved a great measure of success in her treatment of disabled soldiers, nevertheless, it is apparent, due to a division of responsibility and the existence of two or more official boards or commissions, each one of whom had nothing to do with this work, there is considerable friction and delay.

As I said, this article or report is too long to be read to the Senate, although it is well worth while for any Senator who cares to see it to examine it. I quote this sentence from one of its paragraphs:

The progress of the educational work especially appears to be due to the devotion and cooperative spirit of those engaged in it rather than to the administrative plan under which it has come about. To an observer it seems as if much energy must be wasted in the scattered attack upon the problem which division of control implies and that a more direct method could be devised which would result in greater accomplishments with less waste of energy.

I expressed the fear yesterday that the bill now pending if enacted into law would bring about something of that same condition in the United States in our effort to solve this very difficult problem of rehabilitation.

Mr. GALLINGER. Mr. President—

Mr. WADSWORTH. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I have not seen the report the Senator refers to. I will ask the Senator if in Canada during the surgical and medical treatment of a wounded soldier others are allowed to enter the hospital for the purpose of giving instruction in vocational matters.

Mr. WADSWORTH. I gather from this report that at least two and probably three Canadian governmental agencies are interested in and engaged in this work, one of them strictly military, the department of militia and defense, and then two other departments which are strictly civilian in character, and that they endeavor to cooperate one with the other. Of course, as the Senator knows, the problem of rehabilitation and vocational instruction must of necessity commence in the hospital itself and proceed along with what might be termed the physical cure of the soldier, and it is at that point in the process where the conflict of authority or the confusion in council is found to occur unless one authority has supreme power.

Mr. GALLINGER. The suggestion the Senator makes does not appeal to me very strongly. I have been educated to believe that sick people needed rest and quiet and that while they were being treated and until they reached a certain stage of convalescence they ought not to be disturbed by anybody.

According to the terms of the bill we are considering—and it seems that that is the practice of Canada, from what the Senator says—while treatment is going on and the surgeons are doing their best to heal the man of his infirmity another organization interferes to educate the man vocationally as he is recovering from his wounds. I think there will be conflict of authority, and very serious conflict, because I can hardly believe that while surgeons are treating a wounded man they will want other people to come in to give him instruction in vocational matters. That is my judgment.

Mr. WADSWORTH. I agree with the Senator in that respect, although my information gathered in conversation with surgeons and gentlemen who have made a very exhaustive study of this problem is to the effect that at a certain stage in the recovery or convalescence, if we may so call it, of the disabled soldier, at a period long before medical care and surgical care has ceased, prevocational and vocational training commences, so that one treatment gradually blends into and is absorbed by another.

Mr. SMITH of Georgia. If the Senator will allow me to interrupt him—

Mr. WADSWORTH. I yield.

Mr. SMITH of Georgia. With reference to the word "prevocational," as we intended it to mean here, it has reference to that training which is given while the patient is still in the hospital, and is meant to carry the meaning that the Senator has in view. But I have had a conference with Dean Russell this morning and with the Surgeon General and the Assistant Secretary of War, and Dr. Russell claims there is quite a conflict of opinion as to what the word does mean. Therefore I have determined, as a result of this conference, to request the Senate to strike out the word "prevocational" in section 6, where it appears three times.

I mention this in the midst of the Senator's discussion that he may understand the difficulty he has in his mind, if the Senate adopts my suggestion, will be overcome.

I might add that I think the measure, with this change, meets the approval of the War Department, the Surgeon General's department, and Dr. Russell. I have a letter from the Secretary of the Navy expressing for the Navy Department approval

of the measure with the amendment we made striking the provision from the original bill permitting the discharged soldier and seaman to be placed in service for vocational training.

Mr. WADSWORTH. I have no objection to the amendment suggested by the Senator from Georgia, but I do not think that completely cures the situation. My information is somewhat to the contrary of that of the Senator from Georgia with respect to the attitude of the Medical Department of the Army.

Mr. McKELLAR. Will the Senator yield just a moment on that point?

Mr. WADSWORTH. I yield.

Mr. McKELLAR. I mentioned yesterday the fact that this bill met with the approval of Gen. Gorgas. I desire to read from the hearings at page 65 with regard to it:

Mr. SEARS. You have read the bill over, of course, General?

Gen. GORGAS. Yes.

Mr. SEARS. And you indorse it, except that you believe it should be more clear in certain points?

Gen. GORGAS. Yes.

Mr. DONOVAN. Your position is, General, I understand it, that up to the finality of the discharged man as a soldier, up to that point, there should be no question as to who has charge?

Gen. GORGAS. Yes.

In other words, the only objection that Gen. Gorgas had to the bill was the possible conflict which the Senator referred to yesterday. As I understand it, that will be obviated by striking out the word "prevocational" here, and with that change it appears to be entirely satisfactory to the Surgeon General of the Army.

Mr. PAGE. Mr. President—

Mr. WADSWORTH. If I may be permitted to reply to the remarks of the Senator from Tennessee, the testimony given by Gen. Gorgas was given some weeks ago. I am not at liberty to quote him and give him as authority in anything that I say, but my information is most distinctly to the contrary, and my information is most recent. It is to the effect that the Medical Department of the Army is of the opinion that no legislation whatsoever is necessary.

Mr. RANDELL. Will the Senator permit an interruption?

Mr. WADSWORTH. I yield.

Mr. RANDELL. I wish to back up what the Senator is saying, and I am at liberty to quote Gen. Gorgas. I have a letter from him written within one hour which I would like to read, if the Senator will permit.

Mr. WADSWORTH. I yield for that purpose.

Mr. RANDELL (reading)—

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, May 24, 1918.

HON. JOSEPH E. RANDELL,
United States Senate, Washington, D. C.

DEAR SENATOR RANDELL: In our conversation this morning concerning the vocational rehabilitation bill, S. 4557, I think it a mistake to enact this bill at this time concerning this matter.

The Medical Department is already acting upon a law of Congress passed upon this subject, and all these bills cause delay.

There is ample authority for doing all that is necessary in this field under the law recently passed by Congress by which we are at present acting. I fear that a bill of this kind, which gives another department authority to come into our hospitals in an administrative capacity, would cause friction in administration.

Very truly, yours,

W. C. GORGAS,
Surgeon General United States Army.

Mr. WADSWORTH. Mr. President, I am very glad the Senator from Louisiana has read that letter.

Mr. SMITH of Michigan. When was that letter written?

Mr. RANDELL. It was written this morning. I saw the Senator from Michigan in the office, and the letter was handed to me while the Senator was there.

Mr. SMITH of Michigan. I had wondered whether or not the letter was written at that time.

Mr. RANDELL. It was written while the Senator from Michigan was there.

Mr. WADSWORTH. Mr. President, it is a fact that the Medical Department, proceeding upon the theory as expressed in the letter which the Senator from Louisiana [Mr. RANDELL] has read—

Mr. SMITH of Georgia. I desire to say—

Mr. WADSWORTH. I will yield to the Senator in a moment; just let me finish the sentence. It is a fact that the Medical Department, proceeding upon the theory expressed in the letter which has just been read by the Senator from Louisiana, has for many months been preparing to meet this emergency. It has already purchased and has in its possession shop machinery for six reconstruction hospitals, bought and paid for, with the teachers engaged, and some in the course of training to become instructors of disabled soldiers. I am not sure that I can remember all of the hospitals, but one is the Walter Reed Hospital; another at Fort McHenry, near Baltimore; another is at Lakewood, N. J.; another is at Fort McPherson, in Georgia—

to which post and hospital I referred here yesterday. There is another one, I think, in the neighborhood of Pittsburgh, Pa., but I am not certain, and can not remember now where the sixth hospital is. There is one in California, I think near the city of San Francisco, and it is perhaps a part of the old Army post there. I can not remember the name of that post, but I know there is one there which would be the sixth, if my recollection is accurate.

The question simply comes to this: The Medical Department has organized this service. Of course, it is in its infancy; it has not yet become elaborate, and has not yet extended to the limits to which it must eventually extend. It has purchased machinery of different kinds to put into shops to teach these men vocations; it has engaged the teachers; and it has organized in the Medical Department a division under the control and management of experts in this very line of work, one of whom is Dr. Russell, as I stated yesterday, the dean of the teachers' college of Columbia University, who is here to-day guiding and advising in this very work, and whose commission in that service is now under consideration. He has been here a month.

Mr. SMITH of Georgia. Mr. President, will the Senator from New York allow me to interrupt him?

Mr. WADSWORTH. I yield.

Mr. SMITH of Georgia. I was late reaching the Chamber this morning, because Dr. Russell, Gen. Gorgas, and the Assistant Secretary of War were in my office in conference with me. Dr. Russell has not accepted a commission, and has no idea of accepting one. He so stated to me; and the statement that I made with reference to Gen. Gorgas was the result of the conference that we have just had.

Mr. PAGE rose.

Mr. WADSWORTH. Does the Senator from Vermont desire to interrupt me to ask a question?

Mr. PAGE. I desire to say just a word. The Senator from New York was stating what had been accomplished in Canada, and I was reminded that that matter was brought up in the hearings when Mr. Kidner, who was the principal witness from Canada in regard to Canadian affairs, was before us.

Mr. WADSWORTH. I remember the testimony.

Mr. PAGE. The question was asked Mr. Kidner:

The CHAIRMAN. Let me ask, is that done by the medical branch or the vocational branch?

Mr. KIDNER. That is done by the vocational branch, sir, which has attached to it and detailed to it a special medical officer who works side by side with the vocational officer in summing up the man.

Senator PAGE. Along that line, does that man cease to be under the control of the military and enter upon the civil?

Mr. KIDNER. It overlaps with us, sir. A man receives his military discharge when his medical treatment has reached finality, except in the case of the insane and the tuberculous, who are discharged to the civilian commission for further treatment. But a man receives his military discharge in the ordinary case when his medical treatment has reached finality, but the vocational officer is in charge of him for his vocational training from the moment he arrives at the hospital in Canada.

Senator PAGE. Is there any conflict of authority or any conflict of practice growing out of this dual condition?

Mr. KIDNER. We have not found it so, sir; and in proof of that I may say that under a recent rearrangement of our hospital administration it is definitely laid down that the vocational training of the disabled men while in military hospitals is still in the hands of the civilian body which is charged with that duty.

That testimony seems to me to indicate that there was no conflict there.

Mr. WADSWORTH. That is the testimony of one man, and of course another man says there has been some conflict; but he did not appear before our committee. But let me call the Senator's attention to this fact: The very use by that witness of the word "overlapping" is, to my mind, illustrative of an undesirable state of affairs. There should not be any overlapping between two authorities; this matter should be under one authority from the beginning to the end.

Let me say to the Senator that, according to that testimony, in Canada there has been a recent change in the endeavor to perfect this very system of administration, and that witness stated that at the conclusion of the medical treatment the vocational authority then took charge of the soldier.

Mr. PAGE. Yes; but that meanwhile—

Mr. WADSWORTH. Let me continue. In our service it is not contemplated that medical treatment shall cease and that the soldier shall be turned over as a soldier to vocational treatment. It is contemplated by the Medical Department of the Army that when they shall have cured a man of his disabilities, it shall include restoring him as nearly as possible to that degree of physical and mental and industrial efficiency that he possessed before he went into the Army. The word "cured," as it is construed by our Medical Department, includes a great deal more than merely curing the soldier's wounds; he must be restored as nearly as possible to that degree of efficiency which he possessed before he went into the service; and it is

not the purpose of the War Department or of the Medical Department to discharge an injured soldier until he has been rehabilitated as well as cured. When we use that word, it is used in the ordinary sense. So long as a man is a soldier of the Army of the United States, I contend that he must only have one authority over him, and that should be a military authority.

Mr. PAGE. I agree with the Senator from New York; and under this bill that is the exact condition. When a man is restored physically, he is entitled to his discharge from the military service; he should have it; he should be released from military control; he should be permitted to return to his home if he wishes to go back; but under this bill, if he wishes for vocational rehabilitation, he is permitted to take the training provided for in the bill. I think it is all wrong to say that when a man has become functionally rehabilitated he should longer be kept under military control.

Mr. WADSWORTH. Mr. President, the Senator from New York has made no such suggestion, and the Medical Department of the Army has no such intention as that last expressed by the Senator from Vermont.

Mr. PAGE. I understood the Senator to say that the recuperation must be mental as well as physical. That seems to me to be wrong. I do not think we have a right to hold a man under military control after he has been sufficiently restored functionally or physically. He then has a right to his discharge, a right to his return home. We do not propose under this bill to compel a man to take vocational rehabilitation. We say to him, "After you have received your discharge, you may do so or you may not, as you please. If you wish to take it, you have certain money allowances made to you while you are taking your vocational rehabilitation; but we do not compel you to do it; we leave it optional with you." That is where it should be left; and we ought not to say that a man must be kept in the military service and under military control after he has become functionally rehabilitated. He should then be permitted to go home to his work, if he desires to do so; but he should be allowed to take vocational training if he wants it.

Mr. WADSWORTH. Mr. President, in some respects I agree with the Senator from Vermont in his remarks, and in others I strongly disagree. Of course, it should not be the purpose or the effort of the War Department to compel a disabled soldier, to use force, or anything approaching force, in reeducating him, if I may use that term, or giving him vocational training; but it is the duty of the Army authorities, if the man expresses it as his wish, to restore him to his prior condition of efficiency, if it is humanly possible. It is the primary function of the Medical Department not only to cure him physically but to cure him industrially, if it can be done. The Army owes it to every soldier to accomplish that result, if it is possible and the soldier expresses his willingness—

Mr. PAGE. Mr. President, one word.

Mr. WADSWORTH. Just a moment—and the soldier expresses his willingness to have that done and his desire to have that done. Now, the vast majority of soldiers will want that done; and if they want it done they will remain soldiers until it is done; and while remaining soldiers they should be subjected to one authority, and that is the military authority expressed through the Medical Department of the Army.

Mr. PAGE. But the Senator says that the military authorities owe it to the soldier—

Mr. WADSWORTH. They do.

Mr. PAGE. I say that it is this great Nation and not the military authorities who owe it to the soldier, and it is not, in my judgment, a proper function of the military authorities to take charge of the education of a functionally rehabilitated man. After the soldier is physically able to be discharged, it is his absolute and unqualified right to be discharged whenever he demands it.

I wish to say further that the history of these matters is to the effect that when a man desires counsel and sympathy he does not go to the officer above him; there seems to be a gulf between the commissioned officer and the soldier. He prefers to go to some one other than a commissioned officer, and as a general rule he does not want to be under military control after he is well enough to go home to his work.

Mr. BRANDEGEE. Mr. President—

Mr. WADSWORTH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Whether the soldier wants to or not, the Senator from Vermont will admit, I presume, that he has got to be under military control until he is discharged from the Army.

Mr. PAGE. He should be under military control until he has so far recovered from his wounds that he should be discharged; and he should not be kept under military control one single day after he is able to return to his home, in my judgment.

Mr. BRANDEGEE. Who is to decide when he is ready to be discharged?

Mr. PAGE. I do not understand that to be the question raised here. The soldier himself has a right to say as to that after he has been physically and functionally rehabilitated.

Mr. BRANDEGEE. Does the Senator think that the soldier himself ought to have the right to discharge himself from the Army?

Mr. PAGE. He has a right to demand his discharge after he is made thoroughly functionally well.

Mr. BRANDEGEE. I do not understand it so. If his term of service has not expired, and, in the opinion of the Surgeon General and of the military corps he is not physically fit to be discharged, I do not think he ought to be discharged until the military authorities think he ought to be discharged.

Mr. PAGE. Oh, the Senator says "physically fit." I agree with that proposition; until a man is physically fit, until he has been functionally rehabilitated, he should properly remain under military control; but the moment he is physically fit he should be discharged; he should be his own man, and should decide whether he should receive vocational training or not.

Mr. BRANDEGEE. Suppose that he should be discharged when he is fit to be discharged; until he actually is discharged, does the Senator think that any civilian board ought to have any authority over him while he is in the military service of the United States?

Mr. PAGE. They do not have under this bill.

Mr. BRANDEGEE. Does the Senator think they ought to have?

Mr. PAGE. I think that the best interests of the soldier should be considered; and my judgment is unquestionably that the best interests of the soldier demand that he should receive education under civilians who have made vocational training a life study.

Mr. BRANDEGEE. Does the Senator think that civilians who have made vocational education a life study should have anything to say about the control of a soldier under military authority?

Mr. PAGE. I agree with the Senator that until a man is discharged he should be under military control.

Mr. BRANDEGEE. That is all I contend for. I understood the Senator to say that whenever the man was fit to be discharged, whether he was discharged or not, this civilian board should come in and have some authority in the hospital.

Mr. PAGE. No; my statement was that I believed when the soldier was physically fit he was entitled to ask for his discharge, unless he is going to go back into the service; and of course, if he is, that changes the whole aspect of the matter. We are now discussing men who are supposed to have ended their service as soldiers; and when such a man has become physically fit, he has the right to say "I want to go," and it is for him thereafter to say whether he will be vocationally rehabilitated or not.

Mr. BRANDEGEE. He has a right to ask for his discharge, but he has no right to have it unless the military authorities think he ought to have it.

Mr. BORAH. It is not wholly for the military authorities to say as to that.

Mr. WADSWORTH. I yield to the Senator from Idaho.

Mr. BORAH. I was going to say that the soldier has a certain contract with the Government to which he may appeal for his discharge.

Mr. BRANDEGEE. Certainly. If his term of enlistment has expired, he is entitled to his discharge.

Mr. BORAH. Precisely; and therefore it is not wholly in the hands of the military authorities.

Mr. WADSWORTH. Mr. President—

Mr. NELSON. Will the Senator yield to me?

Mr. WADSWORTH. In just a moment I will yield. The term of enlistment is for the duration of the war; so that there is no particular time when any soldier in this war is entitled to his discharge.

Mr. BORAH. It is not wholly in the hands of the military authorities to say when the war is ended, either; the Government determines that question.

Mr. SMITH of Michigan. Mr. President—

Mr. WADSWORTH. I yield first to the Senator from Minnesota, who rose to ask me a question.

Mr. NELSON. I simply rose to say that when a soldier is wounded or disabled he is discharged upon the certificate of the Surgeon General and on his recommendation. He is not discharged because he demands it but he is simply discharged because the Surgeon General recommends his discharge. I understand that was always the practice during the Civil War, and I think it is the practice yet.

Mr. SMITH of Michigan. Mr. President, may I ask the Senator if he has any information as to the percentage of men who are wounded as a result of service in this war who recover?

Mr. WADSWORTH. I have heard it stated that 85 per cent of the men who are wounded recover from the shock or the wound.

Mr. SMITH of Michigan. If that is true, they are still available for military duty and can be drawn upon for that service, as has been frequently the case in France and England; and to say that during the period of their rehabilitation the Surgeon General's Department can not contribute to their comfort and their well-being by a form of instruction and education, it seems to me, is going a good way.

Mr. WADSWORTH. Of course, the discussion now has extended beyond the problem presented by this bill. As the Senator from Michigan says, a very large percentage of the wounded return to the ranks.

Mr. SMITH of Michigan. Certainly they do.

Mr. WADSWORTH. But they are not the ones that this bill has in mind.

Mr. PAGE. I will say that of all who go over only 10 per cent have been sent back from Europe, according to the statistics of Canada.

Mr. FLETCHER. Mr. President, may I ask the Senator a question?

Mr. WADSWORTH. Let me finish my sentence and I will yield in a moment. Those who are wounded and injured to such an extent as to cripple them more or less are the ones who are to fall within the terms of this bill, and that includes mental derangement as well as physical. It is believed by the officers of the Medical Department that the curing of those men and restoring them as much as possible to their former efficiency involves not only surgical and medical treatment but also vocational education; that the two go along together and can not be separated, and it is with that purpose in view that the Medical Department has ordered and purchased equipment for machine shops, they contending that a soldier can not be completely cured or approximately cured of his crippled condition unless he is taught to use his crippled members in the operation of machinery or in some manual operation or occupation, and that vocational training, therefore, and rehabilitation—if we may use that word again—is a part of the general treatment of the crippled or disabled soldier. You can not separate them. It commences in the ward of the hospital, to a minor degree, of course; it then extends into the convalescent hospital, where the man is well on the road to recovery, and where he is given more work of a manual character to do, and extends out into the machine shops and trade schools, which are being built and equipped in conjunction with convalescent hospitals.

All these processes are part of the general scheme for rehabilitating soldiers. The Medical Department has embarked upon it. It understands the problem. It is training the teachers. It has 200 wounded men in this country in course of rehabilitation, and I contend that there is no necessity whatsoever for this legislation.

Mr. FLETCHER. Mr. President—

Mr. WADSWORTH. I yield to the Senator from Florida.

Mr. FLETCHER. In order to make it a little more clear, I should like to present to the Senator a specific case by way of illustration.

Suppose a soldier is wounded, and he loses one leg, and he loses one arm. Now, until he is cured he goes to the hospital under the care of the Surgeon General's Department. When his wounds are healed and well he is without one leg, and he is without one arm. Now, I take it that soldier has the right to apply for a discharge, and he would be entitled to his discharge immediately, would he not? He is physically disabled, and on account of his physical disability he is entitled to his discharge from further service in the Army. Would he not be entitled to that if he applies for it? If he would, then the Army loses all jurisdiction over him, and the question would then arise whether, under this bill, he is taken up at that point, and whether it is not proper that he should be taken up at that point.

I am merely presenting that as an illustration—whether the Army would not lose jurisdiction of the soldier the moment he is cured and healed of his wounds. Of course I take it he would be supplied—it is their business to supply him—with an artificial leg and an artificial arm; but when that is done, if he applies for his discharge, would he not be entitled to receive it?

Mr. WADSWORTH. Not necessarily. That lies in the discretion of the Surgeon General and the President.

Mr. FLETCHER. Then the Senator holds that he ought to continue until he is taught the use of these artificial limbs so as to equip him for civil life?

Mr. WADSWORTH. I do make that contention, and that is the purpose of the Medical Department.

Mr. FLETCHER. I will ask the Senator's opinion as to whether the bill interferes up to the point when the wounds are healed and the artificial limbs are supplied? Before that this bill would have no effect; it would not reach him at all, would it?

Mr. WADSWORTH. I think it would.

Mr. FLETCHER. Of course in that respect there would seem to be confusion of jurisdiction and authority there, which might be harmful.

Mr. WADSWORTH. My only fear is that we shall have conflict of authority and confusion. This is a very, very delicate problem and, of course, you want the ablest men in the country to take charge of it. Personally, I have confidence in the men that the Medical Department, under Gen. Gorgas, have summoned for this work. I know they have been studying it for months. My only dread, as I say, is that we will make a wrong start. Practically every nation has made a bad start at this kind of business; but we ought to take advantage of the mistakes of others and make an absolutely correct start if it is humanly possible; and I shall always contend that the way to start out on any great piece of work is to centralize its control under one authority.

Mr. SHIELDS. Mr. President—

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. SHIELDS. Of course I agree with the Senator that there ought to be no mistake in starting upon this work of rehabilitation and vocational education. Now, I find in the RECORD that the Senator was asked upon yesterday under what law the office of the Surgeon General is proceeding with this work of vocational education, and the Senator did not refer to any particular statute on yesterday afternoon; but has he found one since then to which he could refer the Senate, conferring some authority for the work that is being done under the Surgeon General's orders?

Mr. WADSWORTH. I made that inquiry this morning at the office of the Medical Department, and was informed there that under the general authority granted the Surgeon General under the military law, and the construction of the language used in that authority under the military law, not only the medical and surgical treatment was imposed as a duty upon the Surgeon General's department but the complete curing and restoration of the injured soldier.

Mr. SHIELDS. Is that as far as it goes?

Mr. WADSWORTH. Yes.

Mr. SHIELDS. The curing of the man?

Mr. WADSWORTH. I am not at all certain that I am using the correct words when I use the words "curing and restoration"; but the Medical Department and the War Department prior to this time, at least, have construed the authority granted to the War Department through the Surgeon General in matters of this sort to extend to the restoration of the injured or crippled soldier to a point at least approximating his prior efficiency.

Mr. SHIELDS. Mr. President, there ought not to be any mistake about that. This is a very important matter, involving the future of thousands and tens of thousands of the best young men of this country.

Mr. WADSWORTH. Yes, sir.

Mr. SHIELDS. And it seems that no one can put his finger upon, or at least there can not be produced here, any statute authorizing this work that is going on. Apparently it is being done without authority, without any appropriation for it, and it may fall down at any time. There ought to be no doubt about this. There ought to be some law authorizing such an important work.

Mr. WADSWORTH. I think this is section 304 of the war-risk insurance act which the Senator from Michigan hands me.

Mr. SHIELDS. Yes; I will read that to the Senator, and it does not confer any such power. On the contrary, it implies that some power is to be conferred in the future. I will read the language of it, because it was put in the RECORD yesterday as probably conferring such power, and I examined it on that account.

Section 304 of that statute is in these words:

That in cases of dismemberment, of injuries to sight or hearing, and of other injuries commonly causing permanent disability, the injured person shall follow such course or courses of rehabilitation, reeducation, and vocational training as the United States may provide or procure to be provided.

Thus clearly implying that there is nothing now authorizing such a thing, but the statute contemplates future legislation in order to carry that provision into effect, and that is the object, as I understand, of the very bill now under consideration.

Mr. WADSWORTH. I can not argue a legal question with the Senator from Tennessee. I am frank to confess it is a

strange thing to me that the Medical Department and the Surgeon General of the Army regard themselves now as clothed with complete authority and power to do this thing.

Mr. SHIELDS. I will say to the Senator that he knows of other things being done without authority, or, rather, he knows of cases of officers assuming to have authority in this day and time.

Mr. WADSWORTH. Yes; I have heard of cases of that sort.

Mr. SHIELDS. In such an important matter as this, the Congress ought not to go on any individual assumption.

Mr. WADSWORTH. Possibly not.

Mr. SHIELDS. It should be perfectly easy to produce a statute, if there is one, giving this power.

Mr. BRANDEGEE. Mr. President—

Mr. WADSWORTH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. In view of the apparent lack of understanding as to what the situation is and as to whether or not the Surgeon General has authority now, and in view of the letter read here this morning by the Senator from Louisiana [Mr. RANDELL] from the Surgeon General stating that so far as he and his department are concerned they do not want this bill and do not approve of it, it seems to me that we are in no condition to take final action upon the subject now; and I would suggest, without interrupting the remarks of the Senator from New York or desiring to prevent him from finishing his speech, that the Senator from Georgia would do a wise thing if he would temporarily lay this matter aside for the morning or would have it recommitted for further consideration.

Mr. SMITH of Georgia. I will state to the Senator that we not only considered it fully but we had the fullest hearings. The War Department was represented; the Treasury Department was represented. I have a letter from the Secretary of the Navy approving the bill. That represents the Navy Department. The Assistant Secretary of the Navy helped frame the bill, and the Council of National Defense, through Dr. Gifford, helped frame the bill. There were many of them present at the hearings. At the close of the hearing I invited anyone present who desired to say anything, especially if there were any present who were unfavorable to the bill, to let their views be heard, and there was no expression of opposition to it. Gen. Gorgas was heard, Dr. Billings was heard, and neither opposed the bill. Each approved the bill.

Mr. BRANDEGEE. Does the Senator from Georgia understand that Dr. Gorgas approves the bill now?

Mr. SMITH of Georgia. I know he does; at least, I heard from him this morning that he withdrew opposition to it.

Mr. BRANDEGEE. Then I fail to understand the purport of the letter read by the Senator from Louisiana [Mr. RANDELL].

Mr. SMITH of Georgia. I have seen him since that letter was written. He was in my office at 12 o'clock, and I left him there as I came to the floor of the Senate.

Mr. BRANDEGEE. And the letter was written at 11 o'clock?

Mr. SMITH of Georgia. I do not know when the letter was written. The Assistant Secretary of War was also in my office and Dr. Russell was in my office. They were there as I left for the Senate at 12 o'clock.

Mr. BRANDEGEE. I think the bill—

Mr. SMITH of Georgia. I think this is true, if the Senator will let me stop him for a moment: I think Gen. Gorgas misunderstood the meaning of a part of the language in section 6. In that section it is expressly declared:

That all medical and surgical work or other treatment necessary to give functional and mental restoration to disabled persons prior to their discharge from the military or naval forces of the United States shall be under the control of the War Department and the Navy Department.

It provides further that—

Whenever prevocational training is employed as a therapeutic measure by the War Department or the Navy Department a plan shall be established between these agencies and the board, acting in an advisory capacity, to insure, in so far as medical requirements permit, a proper process.

I called Gen. Gorgas's attention to the fact that the work of the Federal Board for Vocational Education was expressly declared to be advisory while the soldier or sailor remained in the Army or the Navy; that the control was expressly placed in the Army and the Navy while the injured soldier remained undischarged from the Army. He had the impression that it meant that the board was to interfere with what took place while the patient was under the curative processes of the surgeons. I called his attention to those distinguishing terms—"control by the Army and Navy; advice only during that period by the Federal Board for Vocational Education."

Mr. BRANDEGEE. Did Dr. Gorgas express himself as satisfied with the bill after the Senator from Georgia had explained this to him?

Mr. SMITH of Georgia. I so understood him; yes. The suggestion was made by Dr. Russell, however, as to the word "prevocational," that different views of its meaning existed; that there was a view which restricted it very much and prevented anything that really attached to an actual vocation. The suggestion was made that a man might have an injury to his back and be detained in the hospital for a year, and during that time he might take up a line of reading or instruction that was vocational in its character, and that there was a view that the word "prevocational" meant training before the study attached to anything that would be practically used; this was a view entertained by some. Others claimed more recently that the prevocational training was the training in the hospital before the patient was discharged. I suggested that we each had exactly the same meaning in view and that if there was any doubt about the word "prevocational" I was perfectly willing to strike it out.

Mr. BRANDEGEE. Now, let me ask the Senator this question, with the permission of the Senator from New York, and this is the last question I shall ask:

Under the provisions of this bill can the Surgeon General's department employ any instructors that they want to employ to furnish the vocational training or are they compelled to take somebody that the vocational board supplies?

Mr. SMITH of Georgia. They are not compelled to take the suggestions of the Federal Board for Vocational Education, although they are afforded the opportunity. The board is compelled to suggest men if the Surgeon General desires. That is the status of the bill. Here is an organization in closer touch with all lines of vocational work throughout the whole United States than any other in existence. The Senator from New York must excuse me; I do not desire to occupy his time. I will refer more fully to that subject in my own time later on.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. Just a moment. I desire to call the attention of the Senator from Connecticut to the second section of the bill. He has a copy of it before him. Anyway, I can read it.

Mr. GALLINGER. Mr. President, before the Senator proceeds to read that section, will he permit me to offer an amendment to the bill?

Mr. WADSWORTH. Certainly.

Mr. GALLINGER. I presume the Senator from Georgia may say it is unnecessary, but from my viewpoint it is very important.

I offer the amendment which I send to the desk and ask that it may lie on the table for the present. Let it be read.

The VICE PRESIDENT. The amendment will be read for the information of the Senate.

The SECRETARY. After the word "withheld," in line 10, page 3, it is proposed to insert:

Provided, however, That no vocational teaching shall be carried on in any hospital until the medical authorities certify that the condition of the patient is such as to justify such teaching.

Mr. WADSWORTH. The second section of the bill reads as follows:

That every person who is disabled—

Mr. SMITH of Georgia. My attention was called by another Senator, and I did not hear the amendment read.

Mr. WADSWORTH. I am reading from the second section of the bill.

Mr. SMITH of Georgia. I missed the amendment proposed by the Senator from New Hampshire.

Mr. WADSWORTH. It is to be printed and lie upon the table.

Mr. SMITH of Georgia. I should like to see it.

The VICE PRESIDENT. The Senator from New York has the floor.

Mr. WADSWORTH. The second section of the bill reads:

That every person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under article 3 of the act entitled, etc., and who, after his discharge, in the opinion of the board, is unable to carry on a gainful occupation, etc., shall be furnished by the said board, where vocational rehabilitation is feasible, such course of vocational rehabilitation as the board shall prescribe.

That last sentence refers back to the person who is disabled; not to the person who is discharged from the Army but who is still a soldier and disabled. My interpretation of that language is that it is mandatory upon the Federal Vocational Board to give a soldier still in hospital in the Army a course in vocational training.

Mr. BRANDEGEE. I had not looked at that language in that light, because it says "that every person who is disabled under

circumstances entitling him after discharge from the military or naval" service.

Mr. WADSWORTH. No; according to the terms of the law there cited, he could be in the service. He would be in the service, but after he was discharged he would be entitled. That is simply to designate the character of the injury, the character of the disability.

Mr. BRANDEGEE. It is another instance of the weakness of the bill.

Mr. McKELLAR. I call the Senator's attention to the language on page 2, "and who after his discharge." Of course, it refers only to the discharged soldier.

Mr. WADSWORTH. I hope the Senator will continue and read on.

And who, after his discharge, in the opinion of the board, is unable to carry on a gainful occupation—

And so forth.

But that does not imply that the function of this board shall not extend to the soldier until after he has been discharged from the Army. If that is the case, the legislation is useless on its face.

Mr. McKELLAR. It is only after his discharge from the Army.

Mr. WADSWORTH. Then, there is no necessity for this kind of legislation. That conception of the bill would absolutely prevent the vocational training board from giving any advice or going into a hospital containing soldiers of the Army. That is the whole point.

Mr. McKELLAR. No; not at all.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from New York yield further to the Senator from Tennessee?

Mr. WADSWORTH. I yield to the Senator, if he desires to ask a question.

Mr. McKELLAR. I wish to say, in my judgment, it does not interfere with it at all. In other words, the soldier under the terms of the bill is not taken charge of by the vocational board until after he is discharged. Before that time he is, of course, under the control of the medical authorities.

Mr. WADSWORTH. Granting that the construction of the Senator from Tennessee is correct, it illustrates, in my judgment, at least, the weakness of the whole proposition. You are going to draw a line somewhere in that man's recovery, and up to that line the military authorities will have control of him, and beyond that line the civil authorities will have control. You have to carry on this vocational training together with the medical treatment. The one must merge in the other.

The Senator from New Jersey [Mr. FREELINGHUYSEN] handed me a moment ago a photograph of a hospital now nearing completion at Colonia, N. J., being built by the Medical Department, I understand, handed to the Senator from New Jersey by a citizen of that State, who has an intense interest in this whole work, and who pointed out to the Senator from New Jersey some of the buildings and their purposes. Here it is: A convalescent hospital, with the wards so arranged in such a position to the machine shop, the trade school, so that the soldier starting in the first ward, we will say, proceeds through the different wards, gradually approaching the completion of his medical and vocational treatment, and in the machine shop is terminated his treatment, all under the military authorities. Now, where, under the construction given to this bill by the Senator from Tennessee, can this advisory function commence and end, because, according to his construction, the second section of the bill would permit the board to prescribe the courses of vocational education until the soldier had been discharged.

Mr. LODGE and Mr. McKELLAR addressed the Chair.

Mr. McKELLAR. If the Senator will yield to me—

Mr. WADSWORTH. I yield to the Senator from Massachusetts, who rose first.

Mr. McKELLAR. Very well.

Mr. LODGE. The Senator just used a phrase about which I should like to ask him a question. He said the soldier passed from the control of the Army to the control of the vocational training board.

Mr. WADSWORTH. That is the construction placed upon it by the supporters of this bill.

Mr. LODGE. After the soldier is discharged the vocational training board has not any control.

Mr. WADSWORTH. Absolutely none. He is lost.

Mr. LODGE. He is lost, and he will go home.

Mr. WADSWORTH. If he wants to go home.

Mr. LODGE. It is purely voluntary. He can go home. I do not think we will have the men to rehabilitate.

Mr. WADSWORTH. It is the purpose of the Medical Department to persuade those men to stay in the military service until their rehabilitation has been completed, and while they

stay in and maintain their obligation as soldiers of the United States they will secure that treatment and full pay, under the most skillful guidance and control that the Medical Department can summon from the civilian talent of the country.

Mr. SMITH of Michigan. Will the Senator allow me?

Mr. WADSWORTH. I yield.

Mr. SMITH of Michigan. In the insurance law the solicitude of the Government for the wounded soldier is such that even if he is discharged he may be reenlisted in order that he may complete the work which they have begun, showing that they do not need—

Mr. WADSWORTH. They may contrive to bring him back and rehabilitate him, but when he comes back he must again be under military control.

Mr. SMITH of Michigan. Where he ought to be until he has finished the vocational training.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Will the Senator from New York yield to the Senator from Tennessee?

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to call the Senator's attention to a very important amendment that has been offered, and I believe it is going to be accepted. It was offered by the Senator from New Hampshire [Mr. GALLINGER]:

Provided, however, That no vocational training shall be carried on in any hospital until the medical authorities certify that the condition of the patient is such as to justify such teaching.

It seems to me that is a very important amendment, and that vocational training and convalescent or medical treatment can not go on at the same time. I do not think a sick man is in a condition for any vocational training. They ought to be separate. It ought to be only after his discharge that the vocational training is given.

Mr. WADSWORTH. It seems to me that the Senator from Tennessee and his advisers, if he has received advice, have a misconception of this whole problem. I hesitate to repeat it, as I have said it so often. Of course, I am not an authority on this question, but I have it from such men as Col. Billings, who was one of the leading surgeons in Chicago, according to the testimony of the Senator from Georgia in the hearings; I have it from men high in the medical profession. I had it last summer from Maj. Brackett, who was the leader of the orthopedic surgeons in Boston, the head of one of the biggest hospitals there, that it is apparently essential in your efforts to rehabilitate soldiers who are disabled to commence the functional pre-vocational and indeed the vocational training while and during the period that the man is receiving medical and surgical treatment. They must go together. There is no getting away from it. It depends, of course, largely upon the character and nature of the injury. If a man loses one eye, of course, it is not necessary to give him so much vocational training. It may be necessary to give him some functional instruction and training for the use of the remaining eye. If a man loses one arm, and it is his right arm, it may be necessary to give him a good deal of vocational training while you are fitting and adjusting the artificial hand to the injured member. The two must go together. But the Senator from Tennessee and some of the supporters of this bill seem to insist that you must draw a line somewhere between the hospital treatment and the vocational education. I contend you can not do it.

Mr. RANDELL. May I ask the Senator a question there? I think he said the same thing yesterday. Is it not absolutely necessary to have the assistance of trained surgeons while that arm is being fitted to perform its new functions? Can it be done without the constant help of a trained surgeon?

Mr. WADSWORTH. While the man is being taught to use it he should be primarily under medical control.

Mr. SMITH of Michigan. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Michigan?

Mr. WADSWORTH. I am about to yield the floor.

Mr. SMITH of Michigan. I hope the Senator will not yield the floor because what he is saying is most illuminating. The haste with which the advocates of this bill are ready to accept the amendment proposed by the Senator from New Hampshire indicates that there is at least a very serious question as to the point at which the present bill would become effective and the supervision of the hospital remain in charge of the Army. They could not break in there anyway without the consent of the Surgeon General's Department of the Army, to teach anything to any patient, and, of course, it is unnecessary to have such an amendment.

Mr. NORRIS, Mr. POMERENE, and others addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New York yield, and if so, to whom?

Mr. WADSWORTH. I yield to the Senator from Nebraska.

Mr. NORRIS. I was not able to hear the debate which took place on this bill yesterday, but the first thing that impressed me was one of authority under existing law for doing what is being done. I think from what I have been able to gather I am in entire sympathy with the theory advocated by the Senator from New York, but I want to ask him if he does not think it is vitally necessary, since the question is raised here, to determine whether what is being done now by the Surgeon General is done under authority of law? That is denied, as I understand it, and if there is any question about it there ought to be more authority than what was read here this morning by the Senator from Tennessee. That does not give sufficient authority, in my judgment. There ought to be no doubt about it. If the medical department are to go on, and it seems to me they ought, and if they have not the authority now, it ought to be given them. Those who would be inclined to support the theory of the Senator from New York would still be inclined to support this bill if they are convinced that no authority exists by law and none is offered by way of amendment while we have the matter under discussion.

Mr. SMITH of Michigan. Will the Senator allow me?

Mr. WADSWORTH. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I simply desire to say to the Senator from Nebraska that in the general power given to the Surgeon General's Department to erect and maintain hospitals for the wounded soldiers of the war there is a very wide discretionary power.

Mr. WADSWORTH. And as to what the treatment shall consist of.

Mr. SMITH of Michigan. And as to the manner of treatment which shall be administered. That is wholly within his charge. If he seeks to minister to the mental welfare of the patient, that is within his province.

Mr. NORRIS. Is there any other authority than the section which was read by the Senator from Tennessee?

Mr. SMITH of Michigan. I think there is in the general authority to establish hospitals. I know it is being done.

Mr. NORRIS. I am not making any suggestion or asking any question in any spirit of criticism. I am trying to get light on the subject. I agree with what the Senator from Connecticut [Mr. BRANDEGEE] says. If there is any doubt about the authority existing, before we act on this bill that doubt ought to be cleared away, and if there is not any other authority except what was read, then I am convinced it is not sufficient.

Mr. SMITH of Michigan. I had a talk with the Surgeon General this morning, and he told me he had abundant authority, and I do not know that anything else is necessary.

Mr. NORRIS. I wish somebody would cite the authority.

Mr. SMITH of Michigan. It is in the Army bill.

Mr. NORRIS. I should like to have some one cite it.

Mr. SMITH of Michigan. To establish and maintain hospitals is sufficient power. It is amply sufficient.

Mr. POMERENE. Mr. President—

Mr. WADSWORTH. I yield to the Senator from Ohio.

Mr. POMERENE. I have been trying for a half hour to get permission to refer to the statute which I think confers ample authority upon the War Department to provide for this so-called vocational training as it is now being given under the Surgeon General's Office. I was clearly of the opinion when this legislation was before Congress at the last session that that power was conferred. In addition to the authority already given for purely surgical subjects, the act passed last year contains this provision:

That the Secretary of War be, and is hereby, authorized and directed to acquire—

And so forth.

Then follows this paragraph:

Vocational training: For the employment of the necessary civilian instructors in the most important trades, for the purchase of carpenter's, machinist's, plumber's, mason's, electrician's, and such other tools and equipment as may be required, including machines used in connection with the trades, for the purchase of material and other supplies necessary for instruction and training purposes and the construction of such buildings needed for vocational training in agriculture for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section 27 of the act approved June 3, 1916, authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations, part of this instruction to consist of vocational education either in agriculture or the mechanic arts, \$250,000.

Then follow certain provisos. What I have read refers to the act of June 3, 1916, and we find this paragraph in that act:

In addition to military training soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better

equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers.

I happen to know a little about a surgeon's duties or a physician's duties. The surgeon has not finished his job when he binds up the wounded arm, but one of his duties is to teach him how to use his muscles. Every skilled surgeon does that. Why may it not be a part of the Surgeon General's duties when he has these wounded soldiers in the hospital undergoing treatment to suggest under the general provision of the law that they have certain appliances with which they could be taught to use their crippled members? Certainly there can be no doubt about the authority under these statutes to do what he has been doing.

Mr. SMITH of Georgia. Mr. President—

Mr. NORRIS, Mr. FALL, and others addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New York yield, and if so to whom? There are four Senators on the floor.

Mr. NORRIS. I wish to say, if the Senator will permit me, that I think that law is amply sufficient to give the authority for what is being done.

Mr. SMITH of Georgia. If the Senator will yield to me, I think I can show him that that has no reference to the situation.

Mr. WADSWORTH. Just a moment. I simply want to say I am profoundly grateful to the Senator from Ohio for clearing the atmosphere, and to apologize also to the Senator from Ohio for my remissness in not looking up that question. It seems to me we might have all looked it up.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. WADSWORTH. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. That statute has no bearing upon the work done in the hospitals. It is limited to handling men who are in the service, who are to continue in the service. I offered it and brought the subject before the Senate. That provision is to increase the military efficiency of soldiers at least in part.

Mr. WADSWORTH. And—

Mr. SMITH of Georgia. And it is to be done, first, under rules prescribed by the President. Nothing of that sort has taken place.

Mr. WADSWORTH. Absolutely.

Mr. SMITH of Georgia. That provision was drawn in 1916, when we had a large number of men in camp and when we were seeking by voluntary enlistment to enlarge the Army. It was a provision for the training in camp of sound men in order to fit them by part training in vocational work to return to civil life after their military service was over.

Mr. POMERENE. Mr. President—

Mr. SMITH of Georgia. Just a moment. It does not apply to wounded men; it was not intended to apply to men of that character.

Mr. WADSWORTH. Does the Senator say that it excludes them?

Mr. SMITH of Georgia. Yes—

Mr. WADSWORTH. Under what language?

Mr. SMITH of Georgia. Unless they are preparing to return to military work.

Mr. WADSWORTH. Under what language?

Mr. SMITH of Georgia. It is in part to increase their proficiency for military service. This language precludes the application to men in hospitals so injured that they can not return to military service.

Mr. WADSWORTH. Mr. President, I do not intend to hold the floor any longer. The Senator from Georgia may dispute the conclusions of the Senator from Ohio. My opinion is worth very little in these matters, but I join the Senator from Ohio in his, because, as I listened to the reading of that language, it seemed to me I overheard the words "to enable him to return to civil life"; and that is what we are doing when we give vocational training to disabled soldiers.

Mr. President, I send to the desk a statement which was prepared at a meeting held this morning by the executive committee of the National Education Association bearing upon this topic. I ask the Secretary to read it, that it may be incorporated in the RECORD as a part of my remarks.

I desire also to say that the meeting was held this morning in this city, and that the statement springs from the fact that this very bill is under consideration in the Senate.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[National Education Association of the United States. National Education Association Joint Commission on the National Emergency in Education and the Program for Readjustment During and After the War.]

Thousands of disabled soldiers and sailors are returning to American shores in urgent need of that kind of reeducation which will insure their successful return to civil life. Their restoration is a matter of vital concern to the entire Nation.

It is the deliberate judgment of the National Education Association Commission on the National Emergency in Education that the agencies to which this task of reconstruction shall be delegated be administered under a single and unified control which shall have the general responsibility for each man from the hour of his disablement to the time when he shall be as well fitted for normal civil life as medical and surgical treatment and educational training can insure.

Obviously the War Department and the Naval Department, each through its Surgeon General's office, form the natural and most effective agencies in which should be concentrated authority and responsibility for the work of reconstruction. But acting under these offices should be representatives of such Federal agencies as the Bureau of Education and the Federal Board for Vocational Education and such State and other agencies as may be asked to contribute expert services to this work. It would, in our opinion, be extremely desirable that an advisory board comprising medical, educational, industrial, and recreational authorities should be appointed to confer regularly with the officers of the departments in charge of reconstruction, but it would be quite inconsistent with recognized principles to divide the primary responsibility. Such a division could not fail to engender friction, to cause needless delay in conferences and compromises, and to threaten with failure this great responsibility which the Nation owes to the men who have risked all and sacrificed much in the service of our great cause. At this time there should be no question of any method of procedure except that which will do the very best that can humanly be done for these men.

The wealth of possibilities which these men represent for important and varied civil service must be fully developed, as much for the benefit of society as for the well-being of the returned soldier or sailor. Consequently the range of employment must not be narrow nor confined to industrial pursuits. The professions of law, medicine, engineering, teaching, as well as commercial and industrial employments must be open to and made available to them. Men can and should be assigned on pay by the War and Navy Departments to existing organizations and institutions until the work of their reeducation is complete.

All educational experience substantiates unequivocally the principle of unified control; the lessons of the nations now joined with us in the prosecution of the war point to this principle as the only safe and effective guide in the solution of the problem.

This resolution was unanimously adopted by the National Education Commission on the National Emergency in Education May 24, 1918.

MARY C. C. BRADFORD,

President of the National Education Association.

GEORGE D. STRAYER,

Chairman of the Commission on National Emergency in Education.

J. W. CRABTREE,

Secretary of the National Education Association.

NATIONAL EDUCATION ASSOCIATION HEADQUARTERS,

Washington, D. C.

Mr. BRANDEGEE. Mr. President, if the names of the other officers of that association are printed on this paper, I should like to hear them read. I desire to know who they are.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the names referred to by the Senator from Connecticut.

The Secretary proceeded to read as directed.

Mr. BRANDEGEE. Mr. President, I will not ask that the other names be read, but that they be printed in the RECORD.

The entire list of the names of the officers referred to is as follows:

JOINT COMMISSION.

Executive committee: Mary C. C. Bradford, president N. E. A., Denver, Colo.; Robert J. Ale, vice president N. E. A., Orono, Me.; Carroll G. Pearce, chairman of trustees, Milwaukee, Wis.; A. J. Matthews, treasurer N. E. A., Tempe, Ariz.; and George B. Cook, member by election, Little Rock, Ark.

Board of trustees: Carroll G. Pearce, Milwaukee, Wis.; James Y. Joyner, Raleigh, N. C.; Walter R. Siders, Pocatello, Idaho; Agnes E. Doherty, St. Paul, Minn.; and Mary C. C. Bradford, Denver, Colo.

Members appointed by N. E. A.: George D. Strayer, New York, N. Y.; Harry Pratt Judson, Chicago, Ill.; L. D. Coffman, Minneapolis, Minn.; Elwood P. Cubberley, Stanford University, Cal.; David Felmley, Normal, Ill.; Mary E. Wooley, South Hadley, Mass.; W. C. Bagley, New York, N. Y.; William B. Owen, Chicago, Ill.; Nina C. Vandewalker, Milwaukee, Wis.; Susan M. Dorsey, Los Angeles, Cal.; and Thomas E. Finegan, Albany, N. Y.

Members appointed by the department of superintendence: Payson Smith, Boston, Mass.; F. D. Boynton, Ithaca, N. Y.; J. A. C. Chandler, Richmond, Va.; J. M. Gwinn, New Orleans, La.; Mrs. Josephine C. Preston, Olympia, Wash.; Frank E. Spaulding, Cleveland, Ohio; and J. W. Withers, St. Louis, Mo.

Mr. McKELLAR. Mr. President, I have but a word to say about this matter. In so far as the statute which has been read by the distinguished Senator from Ohio [Mr. POMERENE] is concerned, it does not apply to the question we are considering today at all. It applies to general vocational education in the Army—to men in active service. The words "disabled soldier" do not occur in the statute; they were not considered in the statute; and the statute has no reference to and does not include—

Mr. POMERENE. Mr. President—

Mr. McKELLAR. Just a moment. The statute does not include the class of disabled soldiers that this bill is undertaking to aid. Now I yield to the Senator from Ohio.

Mr. POMERENE. The Senator from Tennessee says that this statute does not refer to disabled soldiers.

Mr. McKELLAR. No; it does not.

Mr. POMERENE. No; but may I suggest that it does not refer to able-bodied soldiers?

Mr. McKELLAR. Oh, yes, it does; in specific terms.

Mr. SMITH of Georgia. That is what it does.

Mr. McKELLAR. That is precisely what has been done under that statute. My recollection is—we discussed it and thrashed it all out before the Military Committee when I was a Member of the other House—what it does is to provide for vocational schools for men in active service in the Army.

Mr. SMITH of Georgia. For those in active service.

Mr. McKELLAR. For the training of those in active service. Under the provisions of that law those kinds of schools have been established and have done a world of good; they have done a splendid work. It was enacted for that specific purpose, and that is being carried out to-day.

To attempt to graft on to that system a system of vocational education for disabled soldiers is an entirely different thing; and it can not be done under present law. I say to the Senator from Ohio that, from the examination which I have made of the statutes, there is not a line of legal authority for the establishment of vocational schools such as are provided for by this bill, by the Medical Department or any other department.

Now, one other matter: Considerable has been said, and a very extended argument has been made here, in favor of the medical authorities having control of this plan. I am not sure whether they are the best fitted for it or not; I am not deciding that question; but, if it is found by experience that the medical authorities are the proper authorities, the President has a perfect right to put the medical authorities in charge of the system; there is no question about that; he has complete authority under the Overman Act to put the Surgeon General's office in control of the system. But what is manifestly necessary is to have legal authority for it; and here is the authority in this bill. There is no authority in the existing statutes now; and if the officers of the Surgeon General's department are performing the work now they are doing so without authority of law and without legal appropriations. My judgment is that the advocates of the bill are exactly right in proposing to deal with the soldiers only after they are discharged.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I am delighted to yield.

Mr. NORRIS. I desire to ask the Senator a question, but in no critical sense at all. As I said awhile ago, I am only seeking light.

Mr. McKELLAR. We are thrashing it out here to ascertain what is the better plan.

Mr. NORRIS. If this bill does not apply to a soldier until he is discharged—and I assume the Senator takes that position, and I presume that he is right, perhaps; at least, that is one construction which can be placed upon it—

Mr. McKELLAR. Qualifiedly. I will explain what I mean by that in a moment after the Senator concludes.

Mr. NORRIS. Assuming now that this bill does not affect a soldier until he is discharged, and then assuming that the Medical Department, even though this bill should become a law, did not discharge the soldier until the war is over, which they would not be compelled to do under existing law, as I understand, then would it not be in the power of the Medical Department absolutely to frustrate the object sought to be accomplished under this bill, at least until peace is declared?

Mr. McKELLAR. That is partially true. While there is no law specifically designating the time when a wounded soldier is to be discharged, yet the practice in the Army is to give him his discharge where it is found on physical examination that the soldier is incapable of performing the duties of a soldier, and the Medical Department so reports. There is never any question about that.

I wish to call the attention of the Senator and the attention of the Senate to this peculiar attitude of the subject: Say there are a dozen soldiers severely wounded, soldiers who have lost arms or legs in France. They are treated there by our medical authorities; there is no provision for giving them vocational training abroad; it would be very difficult to do so; and I presume it is not intended by anyone to join this vocational training with the treatment and convalescence of the soldiers in France; we have enough to do there without doing this additional work. So it is perfectly apparent that these soldiers have to be shipped over here before vocational training takes place; it is also perfectly apparent to anybody who will think about it for a moment that these soldiers have to be practically cured

before they leave France, for the Surgeon General's Department would not put them on ships to send them over here in such a condition that they would not be able to stand the trip. Now, it is necessary that there should be a separation; that there should be a line of demarcation between the time when they leave the authority of one and go under the authority of the other. Whenever the Surgeon General's Department sends these soldiers back as physically unfit to perform military duty they are entitled to a discharge—

Mr. NORRIS. Not under the law.

Mr. McKELLAR. And what this bill does—

Mr. NORRIS. I should like to ask the Senator a question right there.

Mr. McKELLAR. Just a moment. This bill undertakes to deal with them after they have reached that point.

Mr. NORRIS. Yes.

Mr. McKELLAR. And as Dr. Billings, the distinguished surgeon from Chicago, said in the hearings, it is perfectly idle to talk about where the authority begins and where it ends, for the work can only be accomplished by practical application and mutually courteous treatment, and the officers of the Surgeon General's Department, acting with the officers of the vocational training organization, will have to be such practical and reasonable men that these matters will be worked out in the way that will be best for the soldier. I do not take any stock in the idea that because the Surgeon General's Office is not clothed with this power, which it may want, that it is going to hold maimed and crippled soldiers in the Army until the close of the war, rather than to allow the vocational board to train them; that is inconceivable to me. Knowing many of the splendid officers of the medical department, I know they would not for a moment think of pursuing any such cruel and inhuman policy.

Mr. NORRIS. That is a point I want light on.

Mr. McKELLAR. I will be very glad to give the Senator any light that I can.

Mr. NORRIS. The Senator says that when the soldier is brought back here permanently disabled he is entitled to his discharge?

Mr. McKELLAR. Yes.

Mr. NORRIS. I understand he is not entitled to his discharge as a matter of law.

Mr. McKELLAR. He is not entitled to it as a matter of law, but he is entitled to it as a matter of custom. We all know that. I have just talked with The Adjutant General of the Army about it, and he says there is no law prescribing any particular time for the termination of the soldier's service after he has been permanently disabled, but whenever the Surgeon General's Department reports that a man is permanently disabled he is discharged.

Mr. NORRIS. If this bill becomes a law, in order that it may work successfully, it seems to me it ought to contain a provision that when a soldier should become permanently disabled he would, as a matter of right, be entitled to his discharge upon making demand for it, and unless it does contain such a provision we are likely, even if the bill is all that the Senator claims for it, to put on the statute books a law that will have no effect, at least until the war is over.

I wish to submit this to the Senator: He says it has been the custom to grant disabled soldiers discharges. That is true, but there has never been this kind of a law on the statute books. Assuming now—which is a fair assumption, I take it—that the military authorities believe in this method and believe it is the proper way to rehabilitate wounded and disabled soldiers, if they should then think that the best thing for the soldier is to keep him in the Army until they have gotten through with him and given him this reeducation, as it is called—and I can see how they could believe that and be perfectly honest in their belief, and they may be right; I am not disputing that, and that is what they do believe, as I understand—would it not be their duty to refuse to give the soldier his discharge and to keep him in the Army at least until the war is over, and in that event would this bill have any effect whatever until peace is declared?

Mr. McKELLAR. Why, quite the contrary. I do not take it that any officer of the United States Army, whether in the Medical Corps or anywhere else, simply because he could not have his particular way about the treatment of a soldier, would exercise any authority that he might have in a situation like that to prevent a wounded soldier, maimed in the service of his country, from getting the kind of training that he is entitled to get under this bill. I do not believe it would be done under any circumstances. There is not an officer in the Medical Corps, in my judgment, who would even think of taking such a position.

Mr. NORRIS. But he goes on the assumption that the way to give him that training is to keep him in the Army. Now, if

the Senator is right—and, of course, I am not saying that he is not, but I am taking it from his viewpoint—if he is right then why not give to the wounded and the crippled soldier, when he is found to be permanently disabled, the right to be discharged, and let this bureau commence to operate on him? As I understand, you do not intend to compel anybody to receive this service.

Mr. McKELLAR. Not at all.

Mr. NORRIS. And I would not like to do that.

Mr. McKELLAR. I would not either.

Mr. NORRIS. Now, in order to carry out the very theory that the Senator is advocating, as I understand, it seems to me that there ought to be a provision in this bill entitling the soldier to a discharge when it is found that he is permanently disabled in order that this bureau may operate on him and that he may go under this bureau if he so desires.

Mr. McKELLAR. That may be a very wise provision to be inserted in the bill. I have not gone over it carefully.

Mr. SMITH of Georgia. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. SMITH of Georgia. I should like to say to the Senator from Nebraska that every expert who appeared before our committee who had studied the work of rehabilitation in other countries gave us the benefit of his experience to the effect that successful work with the soldier for rehabilitation could not be done by compulsion, and that the quicker he got away from uniformed control the quicker he responded to mental development and the more certain was he to regain his former status.

Mr. NORRIS. Then, if that be true, why is it not necessary to give that soldier the right to demand and to have his discharge when he is permanently disabled?

Mr. SMITH of Georgia. So far there has been no necessity for it. So far there never has been a question that as soon as he was in that condition he would be discharged; and I have no doubt that the President and the Secretary of War, if any effort should be made to confine to the hospital a soldier who was well, would promptly correct the trouble. No one has ever asserted such a right, and I do not believe they would do so.

Mr. NORRIS. It is true, as the Senator says, that nothing of that kind has ever happened in the past, but here comes a controversy now between two lines of thought, and for the purpose of the argument I want the Senator to assume—and that is fair, too, because I have no reason to doubt it—that they are both perfectly honest in the way they want to handle this disabled soldier. Here is a military man, and he says, "The way to handle this soldier is to keep him in the service. We will, therefore, not discharge him," and he is honest in that. He thinks it is best for the soldier. If that is true, the military authorities will prevent anything being done under this bill until the war is over.

Mr. SMITH of Georgia. Not at all. I do not think any of them think so.

Mr. NORRIS. Then they ought to be for the bill.

Mr. SMITH of Georgia. They did not come before us and oppose it. None of them opened their lips before the committee against the bill. We invited it, and there were a number in the room at the time, and no one contradicted the view taken by the experts before us.

Mr. McKELLAR. Mr. President, the Senator says there will be a conflict of opinion; that the medical authorities may undertake to thwart the operation of this bill. As I have said before, I do not think so. We are the judges of what agencies shall execute the law when passed. The Congress determines that question. The medical officers can not and would not put up their judgment against the law that Congress may pass any more than the vocational board can or would do that.

Mr. NORRIS. Of course—

Mr. McKELLAR. If the Senator will yield to me for just a moment, when we pass this bill and put it in the hands of the vocational board the medical officers will accord with the law, just like all other men in this country accord with the law.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I yield.

Mr. NORRIS. If the Senator will permit me, when we pass this law we have still left it in the authority of the military men who are operating this same kind of hospitals under military control to prevent this law from going into effect until the war is over, because they do not need to discharge the men who are going through this treatment. There is not anything to compel them to do it, and we have given them the authority. The Senator says that we decide that; but, as a matter of fact, we decide it in just the opposite direction, it seems to me.

Mr. McKELLAR. So far as I am concerned I have no hesitancy in saying that there ought to be a time when the military authorities must give a man his discharge.

Mr. NORRIS. I think so, whether we pass this law or not. It seems to me that when a man is permanently disabled he ought to be entitled to his discharge as a matter of right; but we have never said so by statute. There is not any law to that effect.

Mr. McKELLAR. I understand that we have never said so by statute. I agree with the Senator entirely, and I do not see how there can possibly be any difference between him and me on that subject. I do not know why he should think there would be, when I am agreeing with him entirely.

Now, just one other point, and I think I can well explain it by an illustration.

Suppose some Member of this body has a son in the service, and that son becomes permanently disabled in France through the loss of a leg, perhaps, unfortunately; he loses that leg on the battle field in France. Of course he must be well, or virtually well, before he is sent over here. He is sent over here, and he is separated from the medical men who cured him over there. Those men can not come over with him. In so far as any influence is concerned, they ought to exert it in favor of making the best possible man out of him, physically and in every other way, vocationally and in every other way, before he leaves; but the men who have had influence over him while he is convalescent become separated from him when he comes back home.

Now, if the Senator from Nebraska had a son, or any other Senator had a son, permanently disabled, already cured of his wounds, and he comes back home, is it possible that you would want him to go back in the Army and be sent to a hospital? Do you think you would like to have him again put under military control? Do you think it would do him any good to put him under military control in the hospitals of our country?

Why, I know you would not think that as a practical question. What would you do? You would say, "Why, I want that boy to go to a vocational school, where he can be taught the thing that he is best fitted to do in the future in civil life." If he is particularly suited to some particular trade you would like the best in the world for the Government to take that boy and teach him that trade, disconnected from military jurisdiction. He is out of the military game for life. He never can go back. Now, surely it ought to be separate; it ought to be put in the hands of a vocational training board to take charge of him after that time.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I yield to the Senator; yes.

Mr. NORRIS. I am trying to get the Senator in an attitude where he will advocate the amendment I have suggested. He says we are in harmony, but we are not in harmony as completely as I should like us to be.

Mr. McKELLAR. All I can say to the Senator is that if he will introduce the amendment I will vote for it. I can not do anything more than that.

Mr. NORRIS. It would have much more force and effect if it came from some member of the committee, of course, or perhaps from the Senator, than if it came from me.

Mr. McKELLAR. I shall be delighted to vote for the Senator's amendment. I can not pass it. I am sure it would have greater weight coming from the Senator.

Mr. NORRIS. But take the case the Senator puts, of the son coming back. As a matter of law, under the circumstances that the Senator has depicted, the son is not entitled to his discharge. Whether this bill is passed or not, it seems to me that when he is thus disabled he ought to be entitled to a discharge on demand, and I should like to see such a provision put in this bill if it becomes a law. That ought to be the law anyway.

Mr. McKELLAR. I again say that I agree with the Senator entirely. There is no possible disagreement between us. I think that when a soldier is permanently disabled in battle he is entitled to his discharge as soon as he is well. Whether under the law or not, certainly under the practice it is so. I take pleasure in saying that I will vote for any such amendment that may be offered to this bill or to any other bill, so as to put the matter beyond question.

Now, Mr. President, just one other thing. We all realize that this bill ought to be passed. It is a great bill. The purpose of this bill can not be excelled. It has been carefully prepared. It has been carefully worked out by experts. I am not talking about the committee now. The committee has done some fine work upon it, the chairman of the committee has spent some

time on it, but the bill itself has been carefully prepared and drawn for one of the highest purposes known.

That is the rehabilitation of the poor soldier who has been wounded in the defense of his country; and here at the last moment comes a scrap in the Senate upon which particular officers shall have charge of it! Some Senators seem to have forgotten the purpose of the bill in a desire to put forward, as it seems to me, a plan of certain men in some department to control it. It seems to be an eleventh-hour dispute as to which body or which organization shall control it. The President has the right to put it in one organization or another after we pass the bill. Why not leave it that way? Why not pass the bill, and then let the executive authority perform its duty in the matter. That is all that is necessary. Does anyone distrust the President to put the best qualified and most efficient organization in charge of the work?

Why, as it appears to me, here at the last minute, after everybody has agreed upon the bill, it is found that certain officers, or certain would-be officers, in one of the departments desire to have charge of this organization. Two million dollars are appropriated for the best purpose money ever was appropriated for, in my judgment, and here we are quarreling about who is going to control the \$2,000,000! That is all there is in this fight here to-day. There is not a shred of anything else in it; and I just want to suggest that is all there is up for consideration. I do not know how it strikes other Senators, but I would not dare vote against this bill. I would feel like I was disgraced forever if I voted against this bill. It would be inhuman to vote against this bill. Here we are, men with all of our physical members, not one of them maimed, quarreling about who is going to enforce this very just measure! Think of it a minute! We ought to have passed the bill without a moment of delay or a word of doubt.

I hope Senators will not vote against this bill. I hope they will not do so, in their own interest as well as in the interest of these poor maimed and wounded young men who are coming back from the war. I say that it will ever arise to haunt any Senator who votes against this bill. You may have reasons why you think some other person or some other organization ought to enforce it. But when you do, you forget that the President has the right to choose any organization he thinks best to enforce it; you lose sight of the young men who need it and who ought to have it. I hope the United States Senate will not cast a dissenting vote on this splendid bill. I should like to see the roll called, and see every man in this body lined up for this just measure. There is not a man who has said a word against the purpose and intent of this bill. The only question is a petty quarrel about which officers' organization is going to carry out its provisions; and we are quarreling about it, Senators, when the President of the United States has full authority to decide the question himself. If he determines afterwards that the medical authorities are better equipped to carry out its provisions, all he has to do is to say so, and it is done; and even if we were to put the medical authorities in charge of it now, he would have a perfect right to put the Vocational Board in charge of it 10 minutes after we passed it. We are losing sight of the main thing, which is the help of the wounded soldier.

These wounded boys are entitled to have a definite law providing for a definite kind of training. They are entitled to the best we can give them. They have made the supreme sacrifice, and we must not leave them with a doubtful right to this kind of training. We must put it beyond controversy. We must put it in the hands of those who have made a life work of training the minds of men. Physicians cure the body, but it requires peculiarly qualified educators to train men in these technical employments. Let us stop this last-hour fight over authority and rival organizations and pass this bill for the benefit of the maimed and wounded boys.

Mr. KENYON. Mr. President, I only want to take a moment.

I am in thorough accord with and indorse practically everything the Senator from Tennessee [Mr. McKellar] has said, but am sorry that an apple of discord has been thrown in here in the last opinion, or possibly the next to the last opinion, of Surg. Gen. Gorgas. I wish that under the Overman Act he might be compelled to coordinate his opinions, so that we would not have an opinion from him on both sides of this subject.

As the Senator from Tennessee says, this is a great bill; and there never has been a bill here with a better purpose than this bill. It seems to me the line of demarcation is clear as between those who are opposing the bill, or at least some of those who are opposing the bill—and I say it in no critical spirit—and those who are standing for the bill. This bill does not propose to take charge of these disabled soldiers until

after they are discharged. Now, that is the line of demarcation. It is voluntary, too. On the other hand, many of those who oppose the bill have a theory, which they may not express on the floor but which some of them do express privately, that these men should be compelled to stay in the Army and be compelled to take this military training. There is the line of demarcation. Shall they do this in a voluntary way, outside of the Army, after they have performed their part as soldiers and given up some part of their body—their arms or legs or their sight—or shall they stay in the Army in order to get that training? Now, that is the issue.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. KENYON. I do.

Mr. STERLING. I should like to ask the Senator from Iowa a question right there. Will it be necessary that they stay in the Army in order that they may get this training under military authority? Because they have been soldiers, because they have been wounded, for example, in the service, would it not be fit and appropriate that the vocational training may be had under military authority afterwards and still the men receiving the training not be considered as being in the Army? That is the one problem that troubles me.

Mr. KENYON. Section 304 of the war-risk insurance act has been referred to as giving authority now to the War Department to do this work. I call the Senator's attention to a portion of that section which I think answers his question:

Should such course prevent the injured person from following a substantially gainful occupation while taking same, a form of enlistment may be required which shall bring the injured person into the military or naval service.

That is, he enlists again to get this vocational training. Now, it seems to me that a man who has gone across the sea and suffered these injuries, who has given up a leg or two legs or an arm, when he comes home, if he does not want to take this training, ought not to be compelled to take it. It ought to be entirely optional with him. If he wants to go to his home and stay there, and not learn any other occupation, that is for him to decide. Most men, of course, will want to engage in some line of work; but I feel that we ought not in any way to compel the soldier to take this training.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa further yield to the Senator from South Dakota?

Mr. KENYON. Yes.

Mr. STERLING. I certainly quite agree with the Senator in that proposition. He ought not to be compelled; there ought not to be any authority, military or otherwise, that would seem to compel him to take this training. I shall be glad if the Senator will again refer me to the section he has read.

Mr. KENYON. It is section 304 of what we commonly call the war-risk insurance act.

On the line of demarcation the Senator from New York speaks of there is nothing to prevent the Army going ahead and helping these boys while they are injured and lead them along the line of vocational training as they may. The bill does not stop that.

When the discharge comes then comes this bill and the work under the bill. There may be an overlapping that is unfortunate, of course, but I do not want to assume that the Medical Corps of the Army and the Vocational Board are going to get into any controversy over that. I want to assume that they are both patriotic and that both have but one object in view, the good of the soldier. If they have not, it is an unfortunate situation. If little jealousies of Army cliques are going to creep in to injure and destroy the working of such a great bill as this, it is very unfortunate. I believe there will be complete cooperation. There will be some lapping, but I believe that the Medical Board can do their work and the Vocational Board their work, and that the provisions of this bill will in great measure help these boys we have drafted, these boys who have been sent over there; and it is the smallest thing we can do now to help them in any way we can.

Mr. KING. Will the Senator allow me?

Mr. KENYON. I am through.

Mr. KING. I should like to ask the Senator from Iowa a question. Does not the Senator think he puts the matter a little too strongly; indeed, in such a way that an unjust inference might be drawn from his statement when he says that the sole question at issue is whether the men who are receiving this vocational training and are being physically rehabilitated shall be under civilian or under military control?

As I have understood, if the Senator will pardon me, the attitude of the distinguished Senator from New York [Mr. Wads-

WORTH] and others who have combated in a friendly way some of the provisions of the measure under consideration, was this: That the soldiers who are wounded will, while they are in the hospital and receiving medical attention, be in such a mental and physical condition as that they can receive vocational training. Undoubtedly, the condition of many will be such that perhaps for weeks or months, while they are receiving medical treatment, they may also receive profitable and advantageous instruction along vocational lines. Many of the injured and wounded ones will be able, while they are being treated and restored, so far as restoration is possible, to devote considerable time to mental and physical effort. Indeed, many patients more rapidly convalesce if their minds and hands are occupied. A certain amount of work will be advantageous to those receiving attention from medical authorities furnished by the Government. If this course is pursued, then it is obvious that with the hospitals there must be some agency or school—the name is immaterial—competent to instruct the patient and, in the language of the bill, "rehabilitate" him.

An important question, therefore, arises: Would it not be wiser for the same persons who are caring for the wounded soldiers, who are with them daily, who know their physical infirmities and physiological idiosyncrasies, who know their mental and psychological condition, to assume the control or superintendence of their vocational training? It would seem that the medical authorities should have charge of all vocational instruction imparted to the wounded soldiers as long as they were receiving medical treatment. It is a fair question to consider as to whether it would not be better to have the educational training alongside the medical training, and whether it would not be wiser for those who are giving the medical training to plan for the vocational work necessary to aid the soldiers in preparing to assume some useful place in the industrial world. This plan would not necessarily mean that the vocational training must be given exclusively or in part by the physicians and surgeons who treat the soldiers. There could be provided suitable aids who could instruct the injured ones, working and instructing under the direction and guidance of the doctors, who would best know the conditions of those to be trained and instructed.

Mr. KENYON. The Senator has not any question but that the patriotic men in the Medical Corps would be glad to give all that knowledge to the vocational board and every man in charge? The Senator has not any question but that our hospitals will be busy enough taking care of the sick and wounded not to indulge in much vocational education? In my opinion the hospital is not a very good place for vocational education.

Mr. KING. There is a great deal of truth in that. If the Senator will pardon me, I will just state a concrete case that will perhaps illustrate my point of view. I have in mind a man who was injured in a mine. His leg was so injured that it was amputated. For one year he was at the hospital. The greater portion of that time he was able to go around the yard and to walk with crutches for a considerable distance. The entire year was lost to the individual; his time was wasted and his mind was not improved. The greater part of that time if there had been a machine shop or some place attached to the hospital where he could have received instruction or vocational training could have been profitably employed by him. Under the direction of the surgeon if the hospital had been prepared for teaching trades or for instructing in any useful branch of industry he could have been trained and gone from the hospital better prepared for useful service. It has been claimed by some who have given attention to this subject that vocational training could be carried on at least in a limited way with the medical attention given by the Government. I have understood from the debate here that in some of the hospitals the Senator from New York adverted to this plan is being pursued and proper equipment has already been provided for quite intensive vocational training. Indeed, buildings suitable for such training have been built adjoining or near to the hospital. It seems to me that in many cases the very best results would be had where that procedure was carried out rather than to leave them in the hospitals and then send them home and let them determine whether they should go back to some place and receive vocational training.

I can readily believe that most excellent results could be obtained in many cases by such a mode of procedure as this. I can see grave objections to a scheme that leaves the patient for months or years in a hospital without instruction or any attempt to prepare him mentally or vocationally for entrance into life's activities, and then when he is turned out from the hospital cured, so far as medical science can cure, the Government for the first time attempts to train him for work and labor. Why not do all that can be done to train the injured soldier

during the period he is receiving medical treatment? Physicians are indispensable in teaching wounded and injured persons. The discipline while in the hospital and while under military control would be of some benefit in getting the soldier started upon the highway of education, vocationally or otherwise.

Mr. KENYON. I agree with the Senator about that, but does he not think also that the boy would do better in vocational training if he gets away from being in the Army during that time, goes out of his own free will and decides what he wants to do? In other words, does the Senator believe that the entire vocational training should come to him while in the Army? Should he be kept in the Army in order to get the vocational training?

Mr. KING. If I may be permitted to reply, I do not quite understand that the plan suggested by a number of Senators who have participated in the discussion contemplates that he should be in the Army all this time, although he might be receiving the instruction from men who were in the Army or in the Navy of the United States. But expressing my own view—and it may be wrong, it is an empirical view, not one resulting from study of the subject—I am of the opinion that, assuming that there will be competent instruction in connection with the medical treatment, the same vocational training that would be given in the schools, contemplated under this bill, there would be as good or better results if the work is intrusted to the Medical Department with some military control. I am inclined to think—though I have no fixed view upon the subject—that the men who are in the hospital receiving medical treatment and subject to the control of the Government would make greater progress and attain more satisfactory results if their vocational training were commenced while there and under the direction of the medical authorities. Of course, there is much to be said in favor of the plan suggested in this bill. Every Senator is in favor of a broad and comprehensive plan to vocationally train the boys who bravely and loyally offer their lives for country and for civilization. But what is the best system to adopt to secure the best results will provoke differences of opinion. We are all anxious to adopt the wisest plan. The newness of the subject of necessity will occasion discussion and develop a contrariety of views.

Mr. KENYON. That is a fair issue, and I respect the Senator's opinion about that, although I have a different opinion.

Mr. SMITH of Georgia. I wish to inform the Senator that all the testimony of experts and those who have had experience was contrary to that view. Right along those who have been handling it gave us the opinion to the contrary and illustrated it by practical results.

Mr. KIRBY obtained the floor.

Mr. McKELLAR. Will the Senator from Arkansas yield to me that I may ask the Senator from Utah a question?

Mr. KING. I am occupying the floor in the time of the Senator from Iowa.

Mr. KENYON. I yield the floor.

Mr. McKELLAR. I will be delighted if the Senator would yield that I may ask the question.

Mr. KING. I will be delighted to answer it, if I can.

The PRESIDING OFFICER. The Senator from Utah is not entitled to the floor in his own right, but the Chair will permit the Senator from Tennessee to ask the question, if there is no objection.

Mr. McKELLAR. I desire to ask the Senator this question: As I understood him, he stated that he thought this training and treatment should go on together at the hospital and be carried out by the hospital authorities. Does the Senator propose that we should establish these vocational institutions in France? When the soldier is under the control of the hospital he is going to be in France, and he has got to be made physically well before he can be brought to this country. This question that arises under the Senator's view of the case, I do not see how it can be carried out according to his view unless we are to establish these schools in France. If we do, I say to the Senator we have to buy the land and construct the schoolhouses or additions to hospitals where they can be trained. I imagine that would cost us a good deal more than the \$2,000,000 provided in the bill.

Mr. KING. Replying to the question propounded by the Senator from Tennessee, of course the mere statement of the question answers itself. I have no understanding that the Government of the United States purposes giving vocational instruction in France. I do understand that the Government is now constructing many hospitals in various parts of the United States for the purpose of receiving the wounded soldiers who will be brought back from the bloody fields of battle across the sea. Already there are hospitals now under the control of the Government into which the wounded soldiers are being taken as

fast as they are returned to our shores. It is that class of soldiers with whom we are about to deal and to whom I alluded in the few observations I made when I interrupted the Senator from Iowa.

But, Mr. President, this matter presents itself to me in this angle: There are to be erected a large number of hospitals. Already in some of these hospitals preparations have been made for vocational training. Already buildings have been erected, shops have been established, the necessary equipment has been purchased and provided to give vocational instruction to wounded soldiers.

It must be obvious to all that many patients while they are receiving medical attention may at the same time receive some educational advantages, may be taught along various lines, may receive mental and intellectual training, as well as vocational and industrial training. If it be wise to have established with the hospitals institutions where there may be intellectual or industrial or occupational training, why would it not be wise to continue the same man in charge of the soldiers—when their physical wounds have been healed, as far as human skill will effectuate a cure—and direct the continuation of their vocational training afterwards?

Let me illustrate my point of view. A person is wounded. He loses a leg or an arm. While he is receiving his medical attention in the hospital to which is attached the buildings and equipment for vocational training referred to by the Senator from New York he receives vocational training. It may be imperfect and incomplete, but it is the beginning, and will increase as his physical condition improves. He may be there three months, five months, or a year receiving medical attention.

The PRESIDING OFFICER. The Chair will remind the Senator from Utah that the Senator from Arkansas [Mr. KIRBY] has been recognized and is entitled to the floor.

Mr. KING. I beg the Senator's pardon.

Mr. McKELLAR. Will the Senator from Arkansas yield to me?

Mr. KIRBY. Very well.

The PRESIDING OFFICER. The Senator from Arkansas yields.

Mr. KING. Let me complete the illustration, and then I shall be happy to yield.

As I was observing, this person who was wounded may be in the hospital for months receiving medical attention. During that time he may receive vocational instruction from men there provided, and who are competent to deal with this case. At the end of five or six months he is cured, so far as medical science can effectuate a cure. Would it not be better for him to continue his training there under the same supervision, directed by the skilled men of science, who knew his physical and mental condition, under the same teachers, than to go to some remote point, among strangers, among those who do not fully sympathize with his situation and needs, be subjected to the interruption that would result and, so to speak, start all over again? That thought has occurred to me as this discussion has proceeded. And in view of the fact that we are establishing institutions for vocational training as a part of the hospitals erected by the Government, it occurred to me it might be wise to continue the vocational training, at least in some instances, under the same jurisdiction and under the same management.

Mr. McKELLAR. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. KIRBY. I yield.

Mr. McKELLAR. Does the Senator suppose that the surgeons who are treating these persons in the hospitals will be their teachers?

Mr. KING. If the Senator from Arkansas will pardon me, in what I have said I have proceeded upon the premise suggested by the Senator from New York and other Senators, that already the Medical Department of the Army or of the Government have made provision for vocational training, that they have employed teachers and were instructing teachers and had made elaborate provision for training the wounded soldiers while receiving treatment at the hospitals. It would seem to me if such be the case we are interrupting a design and a plan perhaps the consummation of which has not yet been realized, but which has made such progress as that its consummation may soon be realized and the results be all that could be desired.

Mr. McKELLAR. I merely want to ask one question. Has the Senator ever been in a hospital? Does the Senator think a man suffering from a wound, permanently disabled, is in a condition of mind to take on vocational training at the same time? I want to say that I have undergone a serious operation in a hospital, and I am sure that while I was recovering I could not have learned anything vocational or anything else.

Mr. KING. Of course, if the Senator from Arkansas will pardon me, any personal ailment I might have which would take me into a hospital would not be a subject of discussion upon the floor. I might add, however, that I have been in many hospitals, and I am of opinion that many persons who are in hospitals for treatment, if the hospitals were equipped for vocational training, could be greatly benefited by being taught by competent persons under the direction of the physicians in charge.

It is not indispensable to this plan—that is, of giving vocational training under the direction of the military authorities—that the soldiers should remain indefinitely in the hospital ward.

As I have said, this subject is one of great importance; it will affect many thousands of our brave soldiers. We should not rush through a measure committing the country to a policy that may prove to be defective and inadequate. Many Senators have had no chance to study the question. Few Senators have read the hearings. It does seem to me that we have not had sufficient light upon the matter to determine which plan is superior. There is much to be said in favor of civilian control; there is much that commends a plan under which the medical authorities of the Government shall take charge of this great and humane undertaking.

Mr. KIRBY. Mr. President, I desire to propose an amendment to the bill.

The PRESIDING OFFICER. The Chair will call the Senator's attention to the fact that the Senator from Georgia has an amendment to strike out a word from the bill. It will be stated.

The SECRETARY. On page 5, line 18, strike out the word "prevocational"; on line 24, page 5, and on line 2, page 6, strike out the word "prevocational."

Mr. SMITH of Georgia. I did not formally submit the amendment, but stated I was willing to have that done. If no member of the committee present objects, I will submit it.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Georgia.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Arkansas submits an amendment, which will be read.

The SECRETARY. On page 4, line 3, after the word "hereof," insert "and also for the benefit of all persons injured in civil employment so severely as not to be able to follow their usual vocations who shall likewise be entitled to such instruction without cost therefor under the usual regulations."

Mr. KIRBY. Mr. President, I have listened with much interest to some of the discussion here. Before I go any further, however, I wish to say that I think we have the most undesirable system of discussion and debate in the United States Senate that I have ever seen in vogue anywhere in the world. A Senator gets up here to talk, and before he finishes 15 others have injected their speeches and their own views into his speech and we have no connected view of anyone. But that seems to be the practice, and I am not going to complain about it further.

There was a suggestion, however, that some petty strife among officials or some self-seeking had gotten into this measure, or the discussion at least. I do not know whether that is warranted or not. The question is, What is best to be done with the wounded soldier or sailor? The man who has been called into the service of his country and has been wounded, who is not able to take care of himself thereafter, and whom the Government is interested in providing with such employment as that he will be able to support himself and not become a public charge, that he also may contribute to the production of wealth and the promotion of the welfare of the country. That is the chief reason, when you get down to the bottom of it, for the education of these men and their rehabilitation, because of the Government's selfish interest to prevent them from becoming a public charge and in order to utilize, if possible, their ability to promote the general welfare and contribute to the productive wealth of the country.

We are not educating them or rehabilitating them solely because they have become heroes, because they have responded to their country's call to arms and nobly discharged the duty required of them. It is true that that is considered also; but as the Senator from Utah [Mr. KING] so well said, we have already established a system of vocational schools. If they are becoming a success, why might not that system be continued and enlarged? It is worth the effort and worth the trouble and worth the expense. Why have two systems, as has been well said, if the one regarded necessary and which has been established has reasonably successfully met the demand?

I understand one branch of the National Educational Association has concluded, out of the wisdom acquired from experience in educational matters, that this sort of education can be best

provided under the direction of the Medical Department of the War Department. At least the report read here showed that. I had not thought about it along that line before, but there was a question asked that brought the matter to my attention seriously along another line.

Should the soldier or sailor, wounded so that he can not follow his usual avocation, be required to attend the school under military regulations, or should the school be provided and he be allowed to go to the school if he thinks it advisable to do so? We require him by law to go into the Army or the service of his country. He has been wounded and crippled in that service. He has been taken care of as well as the Government could do it; and now ought not the Government, if it provides this other instruction and this agency for his rehabilitation, to require him to take advantage of it? We have required him to risk his life and his fortune. He has become injured. He does need the rehabilitation. Ought he not to be required to take advantage of the instruction and training when the Government, at great expense, provides the institutions therefor?

If he does not take advantage of it what good has been accomplished by establishing the schools? If we are not going to require that he shall avail of the training, if experience indicates that the compulsory is not the best system, and we are going to have a voluntary proposition that all may have the benefit of this education who come within certain classes defined herein, then why not permit the civilian employee, the man in civil life who has been injured so that he can not follow his usual occupation, to go to this particular school and allow him the benefit of it? He is a citizen of the United States. He has been injured in following his usual calling, he was supporting himself and his family, self-sustaining, independent, and contributing to the promotion of the welfare of the country. He is in need now of this sort of instruction, and I say he ought to be permitted to take advantage of and benefit by the training in these institutions provided by the Government and supplied for the benefit of persons in like condition, regardless of where the injuries disabling him were suffered or received.

It seems to me that ought to be considered, and that is the reason why I have offered this amendment. If this training is to be taken out from under the jurisdiction of the board where we have already started it, if it is to be put entirely in another control, then there is no reason why we should not educate the man injured in employment in civil life just the same as we rehabilitate the soldier or sailor who has been wounded in battle.

The same selfish reason that the Government has in all of it—to make the citizen self-sustaining and an asset instead of a liability—obtains in one case with like force as it does in the other.

The Government wants to keep its citizen from being a charge upon the public. It wants to put him back in such a condition as that he can support himself, support his family, and contribute to the production of wealth and the promotion of the public welfare. When you get down to the bottom of it that is the principal reason for this rehabilitation, or one of them, and applies to one injured man just as well as it applies to the other.

When we have provided these schools, built these institutions, selected the instructors, supplied the apparatus, why shall not these other men have the benefit of the reconstruction training that is already provided? I believe it ought to be done.

I have offered this amendment to section 3. I wish Senators would listen carefully to this. In section 3 there is instruction provided which shall be available without cost for the benefit of any person who is disabled under certain circumstances or coming within a certain class. Then this amendment provides likewise that people who are so injured in civil employment that they can not follow their usual vocations may have the benefit of this free instruction. That is inserted just before the proviso:

Provided, That no monthly compensation, family allowances, or expenses as provided by this act shall be paid on account of any such person availing himself of the courses under this section.

There would be no embarrassment to the Government there. The particular class for whom this instruction is provided are not allowed to be paid any expenses at all. They only get the free instruction. When you have established and furnished a free institution, then it ought to be furnished alike free to these other men who have been unfortunate and who would be benefited by it.

Mr. SMITH of Georgia. Before the Senator takes his seat let me suggest to him that there are 100,000 employees injured in industries. Does the Senator think it would be possible to undertake to handle them in the next 12 months and with this fund? Would it not be wiser to undertake to begin work, if

it is to be done with those injured in industries, say, in 1920? I wish also to ask the Senator if he has read what is found in the testimony of Dr. Little covering this point?

Mr. KIRBY. I saw that provision. It is not probable that 100,000 men who are injured in industrial life will apply for admission to these schools any more than it is probable that if we leave it under civilian management and outside the Army regulation anything like all the men who are injured in the Army will apply for instruction here. With reasonable regulation they could accommodate the people who would apply, and I think the law ought to be such that they would have the right to apply under these conditions. The institution is already established for that particular purpose, to rehabilitate men of this kind, and it makes no difference, so far as the education is concerned and the training and instruction that is given, whether a man had his arm cut off while he was working down here on a railroad between two cars or whether he got it shot off, so far as the arm being gone and the necessity for his rehabilitation is concerned.

It seems to me that this amendment ought to be put in the bill.

Mr. RANDELL. Mr. President, I shall detain the Senate only a short while on some features of the bill that I think we ought to consider very carefully before enacting it.

I wish to call the attention of the Senate to the fact that the Medical Department of the Army and the Navy are already proceeding under the law to take care of the wounded soldiers and sailors of the Army and Navy. The letter which I read yesterday from Gen. Gorgas, Surgeon General of the Army, written on the 27th of last month, shows that the Army contemplates the physical reconstruction of disabled soldiers, and he defines physical reconstruction as the completest form of medical and surgical treatment carried to the point where maximum functional restoration, mental and physical, has been secured.

Another part of the letter says that:

The Medical Department of the Army has assigned the following general hospitals—

For what purpose?—

for the reconstruction of disabled soldiers.

Then it names a number of them, as follows: St. Elizabeths Hospital, Washington; General Hospital No. 4, Fort Porter, N. Y.; General Hospital No. 13, Dansville, N. Y.; General Hospital No. 16, New Haven, Conn.; general hospital, Fort McPherson, Ga.; general hospital at Lakewood, N. J.; at Walter Reed Hospital in this city; general hospital at Camp May, N. J.; Roland Park, Baltimore, Md.; general hospital at Fort Ontario, N. Y., and several others that are indicated by number.

In other words, Mr. President, the Medical Department of the Army has already assigned for the reconstruction work of our wounded soldiers a number of general hospitals. It was my privilege and great pleasure several days ago to visit the Walter Reed Hospital in this city, and I commend to any Senator who is interested in the subject a visit to that great institution. If I understand correctly, it has already completed about 1,200 beds and is rapidly adding more. It is already doing a considerable amount of vocational reconstruction work. I saw young men there making beautiful bead work, baskets, and fancy linen. I saw them working in the blacksmith shop and in the carpenter shop. Various and sundry kinds of work are going on there now in this Capital City. They are enlarging the hospital all the time. It seemed to me, Senators, that the work there is a magnificent conception, as is the way in which it is carried on.

In connection with the offer of the great benevolent society of Elks to appropriate \$1,000,000 for the purpose of building three reconstruction hospitals in this country, I have had several conversations with officials of the Medical Department of the Army. New Orleans desired to have one of these hospitals; Boston desired another one of them. The hospital at Boston, I understand, is under way at Park Hill, Boston—a great reconstruction hospital, built by money furnished by the Elks, with the understanding that it would be turned over to the Government when completed, to be used for reconstruction and vocational work among our disabled soldiers, and to be used in the same character of work after the close of the war for those injured in industrial accidents.

The people of New Orleans were anxious to have one of these hospitals, and a beautiful spot containing 10 acres of ground was selected for the purpose. I called on Col. Billings several days ago—a man whose name has been mentioned several times in this debate, one of the most eminent surgeons in America and the world—and talked to him about this hospital. He said: "Senator, the plans are entirely too meager; we need at least 80 acres of ground, instead of 10, on which to construct a proper

reconstruction hospital." He went on to describe the number of buildings that would be needed in conjunction with the main hospital. He had a great, broad conception of it. His idea was that there should be one central directing mind and office force carrying on that great work, and, in cooperation with that central and directing mind and force, the injured should all be trained in some kind of human endeavor; the blind, those with mental defects, those who had lost one or more members or had suffered some other injury, should each be trained in a suitable pursuit. As the result of that training these men would be prepared to earn their living and to better fill their place in society after their training, in many instances, than ever before.

It is true, Senators, that men sometimes, as the result of an accident, become far more learned and perhaps fill more useful callings than they did originally. I remember a friend of mine who, when a young man, was a carpenter—a highly honorable calling—and had his hand badly hurt, so much so that it could not push the saw or drive the plane. He was forced to study law, and he became one of the great lawyers of America as the result of that accident. If we properly look after our young men who are wounded and maimed and become halt and blind in this awful war, we shall make of many of them more effective citizens, more efficient men than they were before. We ought to do it by all means.

There is no difference of opinion on the floor of the Senate in regard to the merits of this work. The only difference here, as I understand, is whether or not we shall interfere with the present splendid work which is being carried on by the Medical Department of the Army under the leadership of that great man, Surg. Gen. William C. Gorgas; a man of whom every American should be proud, who 20 years ago had the honor of eradicating yellow fever from Cuba when our soldiers were there in the War with Spain; who later performed the herculean task of restoring healthful conditions on the Isthmus of Panama—conditions which were absolutely necessary to the performance of the great engineering feat of constructing the Panama Canal. That great man is now the Surgeon General of the Army; and I sincerely hope he will hold the place for many years. He is going on very nicely with this work. It has been assigned, as I have shown from his letter, to a number of hospitals. The reconstruction work will be assigned to a number of other hospitals from time to time. More of them are going to be built; many communities are going to offer exceptional advantages to the War Department for carrying on this work, hoping and believing that when the war is over the institutions that have gotten a good start under the lead of Gen. Gorgas will become first-class hospitals for those disabled by industrial accidents.

Now, we have another branch of the Government which is charged somewhat with this work—the War-Risk Insurance Bureau. Under section 304, which has been referred to several times, it is the duty of the War-Risk Insurance Bureau to provide artificial limbs and members of various kinds to the wounded soldiers, and also to furnish vocational education for these poor unfortunates. After having the War Department proper, through its Medical Corps, undertake this work, and they having carried it on for months—and they are carrying it on now very successfully—are we going to now create a third organization? After giving considerable authority to the War-Risk Insurance Bureau to do similar work, are we going beyond that, and call in the Vocational Educational Board?

Mr. President and Senators, it seems to me we are going to have a great duplication of effort here. It is an old adage that "too many cooks spoil the broth." I believe this broth is going to be spoiled if we add any more cooks; and I, for one, sincerely hope it will not be done.

There has been so much argument here about the necessity of the doctors in charge continuing their work with the wounded soldiers until they have also been trained vocationally, that I do not know that I can add anything to that, except to say that the argument appeals to me very forcibly. I was talking this morning with Col. Billings, and I asked him if it was not essential that the surgeon should watch carefully the efforts of the vocational teacher when a man had lost his arm, for instance, and a new arm and hand were put on him, and he was being trained to articulate the fingers and properly use that arm. He told me that in such a case it was essential to have the surgeon in constant cooperation with the vocational teacher, and we can readily understand the necessity for that.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. SMITH of Georgia. For a question?

Mr. RANDELL. I am delighted to yield.

Mr. SMITH of Georgia. The Senator has stated that the War-Risk Insurance Bureau is charged with this duty. I desire

to say to him that I know of no law that charges that bureau with such a duty, nor of any appropriation; and they have never done anything in connection with it. I also challenge the view that the Surgeon General's department has any further duty than that which is connected with curing the patient.

Mr. RANDELL. I will read to the Senator what the war-risk insurance act says.

Mr. SMITH of Georgia. I know what it says.

Mr. RANDELL. Well, there is a difference of construction, of course.

Mr. McKELLAR. Mr. President—

Mr. RANDELL. One at a time, if the Senator from Tennessee please. I will yield to him in a moment. I read from the act of October 6, 1917, amending the war-risk insurance act. After creating the board that act goes on to say:

SEC. 304. That in cases of dismemberment, of injuries to sight or hearing, and of other injuries commonly causing permanent disability, the injured person shall follow such course or courses of rehabilitation, reeducation, and vocational training as the United States may provide or procure to be provided.

Mr. SMITH of Georgia. And we are arranging by this bill to procure and provide for it.

Mr. RANDELL. Under the law which was read by the Senator from Ohio [Mr. POMERENE] it is the duty of the War Department to provide this training. The law specifically says it must be done. I know the Senator from Georgia takes the view—at least I understand he does—that this provision was limited to the men before they had done any fighting.

Mr. SMITH of Georgia. No.

Mr. RANDELL. Well, some Senator took that position.

Mr. SMITH of Georgia. I said it specifically referred to men in active service.

Mr. RANDELL. If men in active service are to be taken care of and vocationally trained, surely those who have been wounded ought to be fully provided for in every way; and that is our contention.

Mr. SMITH of Georgia. That is what we propose to do.

Mr. RANDELL. The law specifically says that it is the duty of the Medical Corps of the Army to take care of these men; and the "proof of the pudding is in the eating of it." We are talking about it, and the Medical Corps is doing it. They have a number of these men under treatment right now; and if we do not interfere with them by the passage of this bill they will continue to do the most magnificent work of caring for these poor boys as they are brought back from "over there" from day to day.

Now I yield to the Senator from Tennessee.

Mr. McKELLAR. I merely wish to say to the Senator from Louisiana that—and I had something to do with molding the particular act to which he refers over in the House Committee on Military Affairs—I am sure that neither the act which has been referred to by the Senator from Ohio [Mr. POMERENE] nor the war-risk insurance act gives the slightest authority to the Surgeon General for performing this work. Outside of that, however, the Senator from Louisiana says that "too many cooks spoil the broth." According to his own statement, they have got two cooks at it now.

Mr. RANDELL. And the Senator wants to add a third.

Mr. McKELLAR. I think we had better take it out of the hands of two and put it into the hands of one.

Mr. RANDELL. That is not done by the pending bill.

Mr. McKELLAR. I think we ought to do that by law. The two cooks who are attempting to cook this particular broth are at loggerheads, I presume, and if they are both trying to do it they are both acting without authority of law. My judgment is that we ought to put it in the hands of one cook acting under the authority of law.

Mr. RANDELL. I will say to the Senator that he is utterly mistaken in thinking that the War Department is at loggerheads with the War-Risk Insurance Bureau. They are getting along magnificently. I have talked to a number of officials and they say the work is proceeding—

Mr. McKELLAR. Mr. President—

Mr. RANDELL. Pardon me—the work is proceeding splendidly. I have demonstrated that here two or three times, and we have had the evidence of the Senator from New York [Mr. WADSWORTH], his personal testimony, as to what he knows. There is no friction in the world; but let me ask Senators as fair men, suppose, under section 6 of this bill, if it should be enacted, the Vocational Board sends a number of men into each hospital to act in an advisory capacity and they advise differently from the surgeon in charge of the hospital, what is going to happen? There is going to be disagreement—

Mr. JONES of New Mexico. Mr. President—

Mr. RANDELL. Just a moment. There is going to be a row, and as the result of that row and that disagreement I fear

that we are not going to get along as well with the work, as peacefully, as quietly, as happily, and as successfully as we ought.

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New Mexico?

Mr. RANDELL. I yield.

Mr. JONES of New Mexico. I should like to inquire if I am to understand from the Senator's remarks that no further legislation is necessary?

Mr. RANDELL. Here is a letter which I received from the Surgeon General of the Army this morning—I do not think the Senator was present when it was read some time ago—

Mr. JONES of New Mexico. I was not.

Mr. RANDELL. It is dated May 24, 1918. I have read it once, but it is very short and I will read it again for the benefit of the Senator from New Mexico. It is addressed to me, and is as follows:

DEAR SENATOR RANDELL: In our conversation this morning concerning the vocational rehabilitation bill, No. S. 4557, I think it a mistake to enact this bill at this time concerning this matter.

The Medical Department is already acting upon a law of Congress passed on this subject, and all these bills cause delay.

There is ample authority for doing all that is necessary in this field under the law recently passed by Congress by which we are at present acting. I fear that a bill of this kind, which gives another department authority to come into our hospitals in an administrative capacity, would cause friction in administration.

Very truly, yours,

W. C. GORGAS,

Surgeon General, United States Army.

Mr. JONES of New Mexico. Mr. President—

Mr. SMITH of Georgia. Let me first ask the Senator from Louisiana a question.

Mr. RANDELL. I yield.

Mr. SMITH of Georgia. Did not Gen. Gorgas subsequently say to you that he withdrew his objection to this bill?

Mr. RANDELL. He said to me that he had agreed to withdraw his objection to the bill, but he still held the same opinion expressed in this letter; in other words, I think the Surgeon General is very much in the position of a man who, being convinced against his will, is of the same opinion still. He is of that opinion as strongly as a man can be.

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield further to the Senator from New Mexico?

Mr. RANDELL. I yield.

Mr. JONES of New Mexico. Did the Surgeon General point out the law under which he conceives that he has the authority?

Mr. RANDELL. He did not, but the Senator from Ohio [Mr. POMERENE] read the law, and to me it is very clear. Although there is a difference of opinion as to its meaning, as I construe it, it gives ample authority; and the Surgeon General thinks he has ample authority, for, as a matter of fact, he is proceeding under that law. Now, I will say this to the Senator—

Mr. SMITH of Georgia. Mr. President—

Mr. RANDELL. Just one moment. If the Surgeon General has not ample authority under the law, he certainly is proceeding as though he did have; and it would be better for us to amend the law and give him the authority rather than to confer the authority on some outside agency, such as the Vocational Board, because certainly the Medical Corps of the Army is the one which is going to have most to do with the care of our boys.

Mr. McKELLAR. Will the Senator yield to me for a question?

Mr. RANDELL. I have yielded to the Senator from New Mexico, who, I understand, has not concluded.

Mr. JONES of New Mexico. I was going to inquire whether if any authority is supposed to be derived from the act to which the Senator referred a few moments ago, the act passed at the last session of Congress to authorize the establishment of a war-risk insurance bureau in the Treasury Department?

Mr. RANDELL. I understand that under that law the War Risk Insurance Bureau would have the right to direct that vocational work be done. I do not understand that they have ever directed such work; but they would have the authority to do it, and they could confer the authority, as I understand, on the Vocational Board or on the Medical Corps of the Army, whichever they saw fit.

Mr. JONES of New Mexico. I took considerable interest in the framing of the act to which reference has just been made, and, if such authority is conferred in that act, it certainly is a surprise to me. The only purpose of section 304, as contained in that act, as I take it, was to control the question of the payment of compensation in the event disabled soldiers did

not follow the course of instruction which might hereafter be provided and prescribed.

Mr. RANDELL. Does the Senator deny that there is authority in the law somewhere to establish hospitals and carry on the great and merciful work of rebuilding our soldiers, which is now being carried on? We are certainly doing it now; under what authority are we doing it?

Mr. JONES of New Mexico. We have ample authority for the cure and treatment of our disabled and wounded soldiers; but there is no provision that I know anything about which justifies the work that comes within the scope of this bill. There is absolutely nothing in the law anywhere, of which I have knowledge, which would have any tendency to bring the rehabilitated into touch with the industries of the country, to secure employment for them, to get in touch with the business interests of the country, and to ascertain the particular occupations disabled soldiers can best pursue.

Mr. WADSWORTH. Mr. President, may I ask a question of the Senator from New Mexico, with the permission of the Senator from Louisiana?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New York?

Mr. RANDELL. I yield.

Mr. WADSWORTH. Does the Senator from New Mexico contend that the act of June 3, 1916, which, as I remember, contained a provision to the effect that the Secretary of War or the War Department may install vocational training in the Army for men on active service, is not applicable to this situation and does not give the Surgeon General the power to proceed along this line?

Mr. JONES of New Mexico. I do not understand, Mr. President, that that bill confers such power.

Mr. McKELLAR. Mr. President, if the Senator will yield, I should like to say to the Senator from New York that I do not think that has anything to do with it at all, or that it gives any authority for any such work as is contemplated under the pending bill. If the Senator will examine the terms of that act he will find that that provision was for men in active service.

Mr. WADSWORTH. Just on that point—

Mr. McKELLAR. Schools have been established for such men, but the pending bill provides for the training of men after they have been mustered out of the service. It is an entirely different situation; an entirely different appropriation is required, and it will be used for an entirely different purpose. There is not one scintilla of authority in the act the Senator has read for carrying on such work as is proposed by the pending bill.

Mr. WADSWORTH. With the permission of the Senator from Louisiana, let me comment on the statement just made by the Senator from Tennessee. The bill before the Senate does not apply in its terms to men who have been mustered out.

Mr. McKELLAR. To men who have been discharged.

Mr. WADSWORTH. Nor to men who have been discharged. It relates to men who have been disabled.

Mr. SMITH of Georgia. And discharged.

Mr. WADSWORTH. Otherwise there would not be conferred on the vocational board by this act the advisory power or function to go into the hospitals to help in the treatment of soldiers who have not been discharged, and that is what this bill does. It gives to this board the advisory function to send its representatives into military hospitals, and in military hospitals there are no discharged men; they are all soldiers.

Some emphasis has been placed upon the words "active service." A soldier who has been wounded is not withdrawn from active service in the sense of the military meaning of the term. The contrary of "active service" is inactive service, which is not service with troops and without any jurisdiction of military officers, but the soldier is sent to his home—

Mr. McKELLAR. Mr. President—

Mr. WADSWORTH. Just a moment—and is there placed upon inactive service. The only other kind of service in the Army that is not active service is when the soldier is passed to the reserve and stays at home. Under the military definition a wounded soldier in the hospital is not upon inactive service or in reserve, but he is in active service. The law from which the Senator from Ohio read this morning is applicable to soldiers upon active service, and that applies to wounded men.

Mr. McKELLAR. But the trouble about it is that the bill under consideration does not apply to that kind of soldiers; it only applies to a soldier after his discharge under the very terms of the measure.

Mr. WADSWORTH. My point in bringing this matter up is that the Senator from Tennessee, the Senator from Georgia, and the Senator from New Mexico, inferentially at least, have contended that the Surgeon General has no authority to-day to

go on with the work of vocational training. I contend he gets that authority from the act of June 3, 1916.

Mr. SMITH of Georgia. On what page of that act is the authority given?

Mr. WADSWORTH. My recollection is that it is the act of June 3, 1916.

Mr. RANDELL. The Senator is correct, and I will read the provision for him.

Mr. SMITH of Georgia. What page?

Mr. RANDELL. I read from page 34 of the act of June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as follows:

In addition to military training, soldiers while in the active service—

And, like the Senator from New York, I say that a soldier who has been wounded but not discharged is still in active service—

while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations.

In carrying out that act the Army appropriation act approved May 12, 1917, has this provision on vocational education:

For the employment of the necessary civilian instructors in the most important trades, for the purchase of carpenters', machinists', plumbers', masons', electricians', and such other tools and equipment as may be required, including machines used in connection with the trades, for the purchase of material and other supplies necessary for instruction and training purposes and the construction of such buildings needed for vocational training in agriculture, for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section 27 of the act approved June 3, 1916—

And section 27, I may say, is the provision which I read a few moments ago—

authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupation, part of this instruction to consist of vocational education either in agriculture or the mechanic arts, \$250,000.

It seems to me, Mr. President, that answers fully the question of the Senator from New Mexico as to whether the existing law grants this authority. That is the law applicable to soldiers engaged in active service; and, if we are making provision to give vocational training to soldiers engaged in active service, can any fair man say that does not apply to a soldier who, while in active service, is wounded, is shot down, whose leg is cut off, whose arm is cut off, or whose eyes are put out? What need has a soldier for vocational training if he is not hurt? He must be hurt or injured in some way to need vocational training. He is in active service when he gets hurt, and then he needs vocational training.

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New Mexico?

Mr. RANDELL. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Louisiana yield; and if so, to whom?

Mr. RANDELL. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I should like to ask the Senator if he does not think the fair construction of that law would be that it was intended to rehabilitate the soldier for the purpose of retaining him in the active service of the military department of the Government?

Mr. RANDELL. Why, not at all. Of course, if the soldier meets with some kind of an accident—let us say, an auto runs over him and breaks his arm, which has to be cut off, or he loses his foot, or he contracts consumption or rheumatism, or something of that kind—unquestionably soldiers of that sort would be sent to these hospitals and restored. I saw a number of them out at Walter Reed Hospital. I saw a man from my own State who had contracted rheumatism, and he is out there being treated. But could you contend that it does not also apply to the soldiers who are injured on the fighting line? Have we made provision, let me ask, for the men who are in the cantonments, and none for those who are on the firing line?

Mr. SMITH of Georgia. We are going to make provision for them.

Mr. RANDELL. I do not conceive it that way; but if we are, let me say, let us do a great deal better than the miserable little pittance of \$2,000,000 which is carried in this bill.

Mr. SMITH of Georgia. The present appropriation under the other bill is only \$250,000.

Mr. JONES of New Mexico. Mr. President—

Mr. RANDELL. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I will ask the Senator whether he thinks that under the existing law a disabled soldier has a right to remain in the active service and not be discharged from that service until after he has been rehabilitated?

Mr. RANDELL. I think he has, under a fair construction of the terms of this law. It says we are to give him vocational education and train him so that he can go back restored into civil life again; how is he ready to go back into civil life as a remade man until he has had the training, and how is he to get that training unless we keep him long enough to give it to him? I think the fair construction is that the poor fellow shall be kept until he is cured, until he is ready to go back into civil life, with his functions in just as good shape as it is possible to make them.

Mr. JONES of New Mexico. Then, Mr. President, that seems to me to be announcing a very drastic doctrine here—that under our law at the present time, whenever a soldier is disabled, he must be retained in the Army until after he shall have been rehabilitated and made competent to return to civil life and engage in some useful occupation.

Mr. RANDELL. Does the Senator think it would be doing too much for that poor fellow?

Mr. JONES of New Mexico. No; I do not.

Mr. RANDELL. Of course, I would not keep him there against his will. I do not want the Senator to understand me in that way.

Mr. JONES of New Mexico. But either the law which the Senator has just read means that the soldier shall not be discharged from the public service until after rehabilitation, or else, it seems to me, it can not be subjected to the interpretation which the Senator puts upon it.

Mr. RANDELL. There certainly ought to be a reasonable discretion on the part of the medical officers in discharging that man. We know they have a reasonable discretion. If the man were in such condition that it would take years and years to restore him, and he was very unwilling to remain there and be restored, perhaps they should discharge him without it; but I say to the Senator that the humane construction, the reasonable construction, is that they ought to keep him and put him in condition to resume his former avocation before discharging him.

Mr. JONES of New Mexico. Then, I will ask the Senator if he thinks that under existing law it is a matter of discretion with the Surgeon General as to whether he shall retain these soldiers in the active service or discharge them?

Mr. RANDELL. To a very great extent, I think it is. I think he has a right to keep control of them until they are sufficiently cured to be returned to the Army if possible. If they are well enough to go back into the Army, he ought to send them back to it; and if they are not, he ought to send them into civil life as nearly as possible in condition to perform the functions which they performed before, or similar ones, or, at least, he should do his best for them.

Mr. JONES of New Mexico. I should like to remark, just at this juncture, that it is my thought that after a disabled soldier has received medical treatment and has been restored to health as far as he can be, if it is then ascertained that he can no longer serve in the military branch of the Government effectively he should be discharged, and that the purpose of this bill is to furnish cooperation by skilled experts who will make a study of these questions, and who will be in touch with the industrial interests of the country, to aid and assist these surgeons and hospital people in the work while the soldier is in the hospital; but when he has been physically restored, when the hospital has done all that a hospital ordinarily would do, together with this prevocational training, such as will be necessary in the treatment of the soldier or such as can be given while that treatment is in progress, that then we will take hold of him. He will be discharged from the Army, and then the board created by this bill, which will be in touch with the activities of the country, will be studying industrial conditions, and will be better able to bring him into actual contact with living affairs than the surgeons or doctors in a hospital.

As the law now stands, while it is construed to give ample authority to do all that is necessary while the man is in the hospital, yet it was felt that it needs to be supplemented by this law to care for the soldier after he leaves the hospital, and to give the hospital authorities the benefit of the advice of expert people who will be employed and engaged in the work of taking hold of the soldier after the hospital treatment has ended.

Mr. McKELLAR. Mr. President, will the Senator yield just for a question?

Mr. RANDELL. Just a moment. I have yielded for a question, and a speech, too. After I have replied to that I will yield to the Senator, with great pleasure.

In response to the Senator from New Mexico, who is always eloquent and logical, I wish to say that he presents his case very forcibly. Now, let me present it as it seems to me.

The Senator talks about taking care of these boys after they have been discharged. Where are you going to place them? Suppose there are five or six boys from Louisiana, and a dozen or more from Texas, and six or eight from Arkansas, and five or six from New Mexico and all that locality, all of whom have been discharged—in the aggregate, one or two hundred. They have been discharged, now, before they have been given this vocational rehabilitation. Where will you place those boys under this bill? There is appropriated here the very small sum of \$250,000 for renting buildings and hiring quarters. Are you going to take care of all the discharged boys from our European war in the buildings hired or purchased with this \$250,000? Why, Senators, it is an impossibility.

On the other hand, we already have a number of great hospitals in existence. We have splendid men in charge of these hospitals. We have a large corps of trained nurses in them. We necessarily must have a number of vocational teachers in connection with those hospitals; for every Senator admits that a great deal of this vocational work must be done before the soldier is discharged. All the Senators admit that.

Mr. SMITH of Georgia. Oh, Mr. President, I desire to express my dissent.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. RANDELL. Certainly.

Mr. SMITH of Georgia. I admit that some training may be done, but nothing comparable to what is done after they leave the hospital.

Mr. RANDELL. All right; I accept the amendment, that they must have some vocational training.

Mr. SMITH of Georgia. No; I did not say they must have some. I said some could be done there.

Mr. RANDELL. Well, let us put it that way—some could be done. If some could be done, with the consent of the Senator from Georgia, I imagine that some would be done; and, as a matter of fact, I know it is being done right now at Walter Reed Hospital, because I have been out there and have seen it. It is being done all over the country. They contemplate having annexes, shops, places of various kinds in connection with all these hospitals to do the work. Now, Senators, will you stop that great work after we have carried it to the point where these young men are pretty nearly rebuilt, are pretty nearly retrained and rehabilitated? Will you stop it and force them to go out in some institution purchased with the \$250,000 carried in this bill?

I live in Louisiana, and should like mighty well to see a great reconstruction hospital built in New Orleans to serve Louisiana and the surrounding States. I know that one is going up now in Boston. I hope it will serve well the State of Massachusetts and the surrounding States. I know a dozen or more of them are already in actual use in different parts of the country for the purpose of serving the surrounding sections. Where will you get these vocational schools?

Senators, if you vote for this bill, bear in mind that you must start several great additional institutions; that it is going to cost a great deal of money; that you will have to acquire training schools, vocational educational establishments; you will have to place at the head of them highly trained men; you will need a corps of nurses and of physicians to help, because everyone says that there must be physicians to help along with the vocational training. It is separate and distinct institutions that are contemplated in this bill, and they are going to cost a vast amount of money. This method can not possibly do the work any better than it is being done now. It is a fifth wheel to the cart, in my judgment, and it ought not to be enacted.

Mr. McKELLAR. Mr. President, will the Senator yield now?

Mr. RANDELL. Gladly.

Mr. McKELLAR. I take it that the Senator is in favor of the purpose of this bill. Is that correct?

Mr. RANDELL. Oh, absolutely. I do not think there is anything nobler than to train over the unfortunate young men who are injured in this war. I will go further and say that I am in the heartiest sympathy with vocational education for those hurt in industrial accidents, and I shall do everything in my power to provide reasonable—I say "reasonable" advisedly—assistance from the National Government to assist in giving vocational training to the injured of every kind.

Mr. McKELLAR. The Senator says he is heartily in favor—and I know he is, because I know he could not be otherwise—of

the purpose of this bill. The Senator, of course, is perfectly familiar with the provisions of the law recently enacted which gives the President the right to rearrange organizations.

Mr. RANDELL. Perfectly.

Mr. McKELLAR. The Senator knows, therefore, that the President will have the right to put the Medical Department in charge of this work after we pass the law.

Mr. RANDELL. Why, certainly; he would have that right; but why should we ask him to perform our function?

Mr. McKELLAR. Just one minute. Then, if the President has the authority and can do it, and if the Senator is in favor of the purposes of the bill, would he be willing to vote against this bill simply because the particular department that he wants to have charge of it does not have charge of it?

Mr. RANDELL. Why, of course I would, because I believe that that particular department which I think should have charge of it is especially well qualified to take charge of it, and I believe it has charge of it now. I believe that the man at the head of it is one of the greatest men in America, and I do not want to see that great man and his department interfered with by bringing in other men. I think the work will be done very much more effectually under him if we give him free scope. If he needs any more authority, then I want to give it to him; but I do not want to bring in an outside institution like this Vocational Board.

Mr. McKELLAR. Then the Senator is more concerned about some particular department having control of this matter than he is about the rehabilitation of the young men who have been wounded.

Mr. RANDELL. Absolutely not. The Senator can not put that construction upon what I have said.

Mr. WADSWORTH. Mr. President—

Mr. RANDELL. One moment, and then I will yield to the Senator. My whole thought is to do the best I can for our brave boys who are now trying to save the civilization of the world, and are going to save it; but I favor this because I believe it is the best method. Everybody knows what our Medical Department can do, because of its long record of effective service. Everybody knows what it is now doing. Why bring in an outside institution?

I now yield to the Senator from New York.

Mr. WADSWORTH. I was going to suggest to the Senator from Louisiana that if the Senator from Tennessee is so willing to invoke the power of the President under the Overman Act, why introduce this bill at all?

Mr. RANDELL. That is a very good suggestion, because the President could give the Vocational Educational Board this authority as the law exists now. It does not need a change of law.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Tennessee?

Mr. RANDELL. Certainly.

Mr. McKELLAR. I desire, if the Senator will permit me, to reply to the statement made by the Senator from New York. I want to say in reply to that statement that of course it is true that I voted for the bill giving authority to the President to transfer and rearrange these departments and to coordinate them, and it applies to just such a case as this, except that as the matter now stands the President would have no authority whatsoever to establish a training school for disabled soldiers. He would have no more authority, under the present condition of our law, to establish a vocational training school for permanently disabled soldiers than would the Surgeon General or any other department of the Government—none whatever. The President is without authority and some law has to be passed. This is a beautiful illustration of the wisdom of that; for if, as the Senator from Louisiana argues, only the Medical Department are fitted to carry on this work, all they have to do is to demonstrate that fact to the President of the United States and he will immediately take it out of the hands of the Board for Vocational Training and turn it over to the Medical Department. Are you not willing to trust the President of the United States?

Mr. RANDELL. Undoubtedly I am.

Mr. McKELLAR. Then, if you are, we are talking about nothing, because he has a perfect right to do just as he pleases.

Mr. RANDELL. I never like to make the President do vain things. I never like to throw upon him a responsibility which I should assume myself. His shoulders are broad but his duties are very grave and onerous. We ought to attend to this matter ourselves, and when there is no necessity for this act I do not want to see it passed. We have law enough now. The Surgeon General says he has law enough. We all know that the world is governed too much. In my opinion, we are passing too many laws, anyway. I should like to see us quit.

I do not see any necessity for this bill. If I did, I would unquestionably vote for it.

I want to ask the Senator a question. He wants me to yield my views on this matter. He says that I am hard-headed and that I can not trust another authority to go in there. I will ask him why he so persistently insists upon another organization coming in here to do work which is now being done in a very large and effective way under the statutes as they exist?

Mr. McKELLAR. Mr. President, I will take the greatest pleasure in answering the question. I do so because Gen. William C. Gorgas, my life-long friend, one of the finest men I ever knew in my life, and one of the greatest surgeons the world has ever known, came before our committee and frankly said that he was in favor of this bill as it was written, or virtually so; and upon that authority of the Surgeon General I say that I am in favor of this bill.

Mr. RANDELL. Of course, all I have to say is to refer to the letter of Gen. Gorgas, which I have read.

Mr. McKELLAR. Here is his testimony in the record.

Mr. RANDELL. Let his testimony be read, and let that letter be read. That is all I have to say on that subject.

Mr. President, I have about concluded what I wish to say.

I desire to call the attention of the Senate to the fact that this is a very important piece of legislation. I know of nothing more important than to do everything humanly possible to restore to society, and to a happy place in life, the young men who are wounded in this awful war. We can do a great deal to make them useful and happy members of society if we do what is possible to be done. We ought to do it. There is no question about that and no difference of opinion in regard to it. We ought also, Mr. President, to lay the foundation broad and deep for the reconstruction and rehabilitation of the innumerable human beings in this country who every year lose their arms or their legs or their eyes in accidents of various and sundry kinds. The total runs into very large numbers. Most of these poor persons are thrown on the human junk pile, their lives saddened and darkened as a result of accidents which happen to them. We can care for them; we can brighten their lives; we can give them a new start, and many of them we can enable to earn greater compensation than ever before. The legislation which we pass at this session and the work carried out in response to that legislation on this vocational and rehabilitation plan will lay the foundation for industrial vocational education throughout this Republic. We should consider carefully what we are doing. I do not believe we have considered this bill as carefully as it should be considered. I think, Mr. President, it should be recommitted. I think we should have more evidence on this bill. I think we should understand it more fully than we understand it now.

Mr. SMITH of Georgia. Mr. President, will the Senator yield? The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. RANDELL. I yield.

Mr. SMITH of Georgia. The committee advertised their hearings for two weeks. They put them freely into the newspapers. They notified the War Department, the Surgeon General's Department, the Treasury Department, the War-Risk Insurance Bureau. They invited representatives of each of those departments to come before them, and they came before them. We held open hearings for three days. Through the English ambassador, we brought before us the director of this work in Canada. We brought before us from New York the director of similar work for the Red Cross. We finally threw open the doors and invited anybody who questioned the propriety of passing this bill to speak. There were a dozen representatives of the Surgeon General's office present. Not one objected to the bill, and the Surgeon General himself said that he did not object to it.

Mr. RANDELL. Mr. President, in response to that, all I know is that I have been up to the Surgeon General's office, and I have talked to a number of the men up there, and there is not one of them but decries the bill in the strongest terms and thinks it would be most unfortunate to have it passed. Now, I do not doubt in the slightest everything the Senator from Georgia has said, but let me repeat that I have read here what the Surgeon General says. Everybody knows that I could not coerce him. Everybody knows that I am no great lawyer cross-questioning witnesses before a committee. These witnesses were before the Committee on Education and Labor, and it was a committee favorable to the bill. It was a picked committee, desiring to pass the bill, and direct questions were asked. I used to practice law. I know the trick of asking a direct question which the witness must answer "yes" or "no." That is largely the nature of the testimony given before this committee. I was told by one of the most prominent men in the War Department

that the testimony of the Canadian gentleman who appeared before the committee is not complete; that we ought to have it a great deal more full and complete than it is now.

I know that this bill is not satisfactory to me, Senators, and there is no great rush or hurry to pass it of which I am aware. Why can we not recommit it? Why can we not have it more fully examined into? What is the objection? I am not asking that the bill be defeated now. I am asking to get it recommitted in order that we may be more sure of the situation. See how uncertain it is. Here is a letter from the Surgeon General and a statement from the Senator from Georgia which contravenes the statement in the letter.

Mr. SMITH of Georgia. Since he wrote—

Mr. RANDELL. He told me he still had the same opinion conveyed in that letter, but had agreed to withdraw his objection to the bill provided certain amendments were made to it.

Mr. SMITH of Georgia. And he withdrew it.

Mr. RANDELL. That is what he told me—that he had agreed to withdraw it, but he still believed as stated in his letter. There are perhaps such things as withdrawals and withdrawals.

Mr. SMITH of Georgia. He told you he withdrew his objection to the bill?

Mr. RANDELL. He did; I told him I had already read the letter in the RECORD. He said, "I believe the opinion stated in the letter is right, although I have agreed to withdraw my objection to the bill." I would not have presented the letter if it had not been already presented. Fortunately for this debate, and for the facts of the case, and for the good of our soldiers in my judgment it was presented before Gen. Gorgas called me out.

Mr. BRANDEGEE. Mr. President—

Mr. RANDELL. I yield to the Senator.

Mr. BRANDEGEE. The opinion of the Surgeon General is that "though convinced against his will, he is of the same opinion still."

Mr. RANDELL. That is exactly the impression he made on my mind. Anyone who will go down to his office and talk to him, or to Col. Billings, or to anyone of a number of other prominent officers in the Medical Department, will discover that they are all a unit in their opposition to this bill. They feel that their corps is doing magnificent work, which is apt to be interfered with if this bill is passed. They would like to be let alone, and I, for one, sincerely hope we will not interfere with their very successful efforts by enacting this measure which, to say the least, is of uncertain propriety.

Mr. PAGE. Mr. President, just one word in reference to what I understood to be the attitude of the Senator from Louisiana [Mr. RANDELL], and that was that there was a picked committee to consider this matter, a committee made up to favor the passage of the bill.

My recollection is that this bill has been considered more faithfully and more carefully than 19 out of 20 of the bills that come to us. The Committee on Education of the House and the Committee on Education and Labor of the Senate met day after day and day after day and heard witnesses from all sections of this country and from Canada, and when we got through with our hearings and after the compromise measure now before us had been agreed upon the members of the Committee on Education of the House were so impressed with the wisdom of this bill that they withdrew their own bill and substituted the Senate bill in its place. If ever a measure was considered and considered faithfully and carefully, and if ever a measure received the unanimous and hearty support of every member of the committees of both Houses, as far as I know, I think it is this bill.

Mr. RANDELL. I will say to the Senator I did not use the word "picked" in any disagreeable sense at all. I simply meant that it was the Committee on Education and Labor charged with this kind of legislation, and naturally it was enthusiastic about it. The men in charge of it were men who for years, to my certain knowledge, favored the passage of the vocational education bill and were naturally interested in it. I was interested in it myself. I was glad to see it pass, and if I had been the author of it, like the Senator from Vermont [Mr. PAGE], I should be glad to see its functions enlarged. Certainly it was a favorable committee. You have enlarged the functions of your pet. It was your pet for years. That was all I meant; not in any offensive sense at all.

Mr. PAGE. I simply wish to add one word, and that is that the Committee on Education of the House and the Committee on Education and Labor of the Senate are committees that, in my judgment, would hear and consider fairly a measure of this

kind, and when they make unanimously a favorable report, as they did in this case, as I am informed and believe, I think that report is entitled to great weight on the floor of the Senate.

Mr. SMITH of Georgia. Mr. President, I shall not occupy the Senate more than 10 or 15 minutes.

Mr. KIRBY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Overman	Smoot
Borah	Johnson, S. Dak.	Page	Sterling
Brandagee	Jones, N. Mex.	Pittman	Sutherland
Colt	Jones, Wash.	Polindexter	Swanson
Cummins	Kellogg	Pomerene	Thomas
Curtis	Kendrick	Ransdell	Tillman
Dillingham	Kenyon	Saulsbury	Townsend
Fall	King	Shafroth	Trammell
Fernald	Kirby	Sheppard	Underwood
Fletcher	Lenroot	Shields	Wadsworth
France	McKellar	Smith, Ariz.	Walsh
Gallinger	McNary	Smith, Ga.	Warren
Gerry	Nelson	Smith, Md.	Watson
Gulon	Norris	Smith, Mich.	Weeks
Henderson	Nugent	Smith, S. C.	Wiley

Mr. TRAMMELL. I desire to announce the necessary absence from the Chamber of the Senator from Mississippi [Mr. VARDAMAN] on official business.

Mr. SUTHERLAND. My colleague [Mr. Goff] is absent on account of illness.

Mr. McNARY. I wish to announce that my colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], is detained on official business.

Mr. WATSON. I wish to announce that my colleague [Mr. NEW] is detained on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present. The Senator from Georgia will proceed.

Mr. SMITH of Georgia. Mr. President, there is no law under which the Surgeon General or his branch of the Government would do what the Senators think they are doing but which I feel confident they are not doing. What they are doing is simply to carry on a certain line of work in connection with the hospitals as an incident to medical treatment. They have not undertaken, and they have no legal right to undertake, any vocational training or education beyond that which is an incident to their medical treatment.

The act referred to by the Senator from Ohio [Mr. POMERENE] does not give any such authority. It was passed in 1916. I may say I was the author of the provision put into the military bill. It was in a time of peace. It had no reference to wounded soldiers in hospitals, but to soldiers in active service, and the vocational training was to be a part of their service in camp, limited to a training which did not interfere with their military service.

The provision said "soldiers while in active service," and at the close it said that "the training shall be given under regulations prescribed by the Secretary of War, which may in his judgment be consistent with the requirements of military instruction and service of the soldiers." It had no reference to soldiers who were about to be mustered out of the service on account of physical disability. There is, however, the right under the general appropriation for the Surgeon General's office to treat soldiers who are injured and to give them such physical training as may help restore them to a sound condition.

The Senator from New York read a list prepared by somebody showing what is supposed to be going on in Fort McPherson, at Atlanta, Ga. I live in Atlanta, Ga. I am very familiar with Fort McPherson. If that is the kind of rehabilitation the soldiers are to get, then let us concede we do not intend to do anything to rehabilitate the wounded. They have had at Fort McPherson as many as a thousand soldiers of the Regular Army at a time. They had a little blacksmith shop for their own work. They had a little tin shop. They had little shops around the fort. It is called a fort. It is not a fort at all; it is a large barracks.

They have little places for various kinds of work to be done for their own use. There is a little paint shop at which they painted some of their own things that needed painting; but as to having any kind of an organization or any kind of a place where such men could get training that could be called real training such as this bill contemplates, I am sure there is not anything of the sort there, and no such training has been given.

Mr. WADSWORTH. Will the Senator state when he last visited Fort McPherson?

Mr. SMITH of Georgia. I think it was some time last year. But I am confident opportunity for substantial vocational train-

ing has not been there provided. I do not think there are any wounded soldiers there; if so, scarcely any.

Mr. WADSWORTH. As a matter of fact, there has been quite a large number of troops at Fort McPherson. There are very large quartermaster supplies there.

Mr. SMITH of Georgia. I did not say it was not a large quartermaster-supply station. Atlanta is the headquarters for the distribution of all quartermaster's supplies. It is true that they have the largest warehouse there certainly south of the Potomac from which to handle the supplies, but it is not at Fort McPherson. I was speaking of wounded soldiers.

Mr. WADSWORTH. There are some there getting this training to-day.

Mr. SMITH of Georgia. There is not any of this training that amounts to anything there. They could take a soldier, if they wanted, and put him into their paint shop and let him dip a brush into a paint pot and rub it on something, but that is not what we mean by this bill. That is not the scheme we have in view. We desire the Surgeon General's office to do this little tinkering around the hospitals while the men are in the hospital and help them as much as can be done, encourage them, and start them on; but this bill proposes to take the soldier, after he is discharged, who is disabled, and rehabilitate him through vocational training.

I have a list of the varied lines of employment to which they have been sent by direction in Canada; 194 different lines of occupation into which they have gone. Some have gone to agricultural schools. The Senator from Louisiana spoke as if there was an agricultural school out at the Walter Reed Hospital, near here. There is a little garden. At the agricultural schools the soldiers will have the benefit of a board of trained teachers prepared to really give them help. They can be placed there under this bill, utilizing that part of the fund which places them in existing institutions. There are various kinds of institutions throughout the country already existing to which they can be sent. They are taught in 194 different lines of work in Canada. They are placed at times in manufacturing institutions, without pay, for practice. They are placed in mercantile institutions; they are placed in commercial institutions; they are placed in all kinds of industries for training. They are placed in all kinds of industrial schools. It is not simply to teach them a little handwork in a paint shop; it is, broadly, to take hold of these boys and find out what is in them, and finding out what is in them, to give them a chance to bring it out, that they can still be men and not suffer the distress through life of not being able to do anything, dependent solely upon their country's help.

Mr. SMITH of Michigan. May I ask the Senator if in Canada they are taken into the vocational schools voluntarily?

Mr. SMITH of Georgia. Entirely.

Mr. SMITH of Michigan. After the army has discharged them?

Mr. SMITH of Georgia. Entirely.

Mr. SMITH of Michigan. They have left the army?

Mr. SMITH of Georgia. Yes.

Mr. SMITH of Michigan. This is simply in furtherance of a plan to make them more self-supporting?

Mr. SMITH of Georgia. That is it exactly. The experience in England, the experience in Italy, the experience in France, the experience in Canada is that the real development of a man comes when he gets away from the uniform; when he is no longer under control of a man with a uniform. The army trains for obedience, for machine work. What we want to do is to retrain these boys for self-dependence, self-initiative, self-reliance.

The testimony before our committee from the experts was that the sooner they could be free from the control of the uniform the more rapidly they responded in all respects to their rehabilitation.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. I yield.

Mr. CUMMINS. I ask a question purely for information, because I think the Senator from Georgia has correctly analyzed the bill. If the hospital under the military department of the Government is to do no more than suggested by the Senator from Georgia, and if his bill, which I think is correct, takes a soldier only after he is discharged and has become a civilian, why not strike out section 6 and eliminate all connection between the vocational establishment which it is proposed to create and the Army?

Mr. SMITH of Georgia. For this reason—

Mr. CUMMINS. And let us have an end to the discussion on that point.

Mr. SMITH of Georgia. I am giving the Senator my explanation of that. There will be for a while in the hospitals men doing some vocational work. There is some good vocational work which is done there of a preliminary character. Occasionally there would be a man with an injury, say, to his back, who must be kept in the hospital for 12 months. If he is physically in a condition to do it, it is important that he should be at once helped.

Mr. CUMMINS. That is tinkering, as the Senator from Georgia has well said. That is not really a part of the educational process that the Senator from Georgia has in mind.

Mr. SMITH of Georgia. Yes; just let me go a step further. It is exceedingly desirable that the men selected to help in those places should be well chosen. We do not believe we should require the Surgeon General's office to take the suggestion of the Federal Board for Vocational Education, but we require that they should confer. In Canada the civilian commission are required to take control of vocational work in the hospitals. They put into the hospitals the men they select. We do not think that was wise, but we require the board to confer with the representatives of the Army and Navy as to the hospitals, and to cooperate with them by giving their advice as to men suitable for the work, but we leave the Army and the Navy free not to take these suggestions unless they wish. I believe it will bring about a condition of complete cooperation between the Vocational Board and the Surgeon General's office. I believe that so perfect a system will grow up between them that when a hospital needs a man of a certain character to do vocational work they will confer, and the Vocational Board will help to select him. I believe we can bring about perfect cooperation.

I think this is the great chance to do something for our fellowmen, and especially those of them who have been the boys at the front fighting for us. I think their good will wipe out selfishness in the Army and elsewhere and make both willing to subserve the interests of the man and forget everything else. When they reach that point there will be no conflict between them. Only selfishness and littleness will produce conflict.

Mr. SMITH of Michigan. May I ask the Senator—

Mr. McKELLAR. Mr. President—

Mr. SMITH of Georgia. I am going to yield the floor.

Mr. SMITH of Michigan. Does the motion to strike out the word "prevocational" apply to all of section 6.

Mr. SMITH of Georgia. Yes; the three places.

Mr. SMITH of Michigan. And you also strike out the word "and," in line 3, before the word "vocational," on page 6?

Mr. SMITH of Georgia. I do not object to "prevocational" there. There is no objection to it on page 6. It is stricken out where it occurs by itself, but where it was used conjunctively it covers all kinds of education.

Mr. SMITH of Michigan. But the word as used in section 6 would undoubtedly give color to the idea that the training was to take place while the wounded man is in charge of the surgeons in the hospital. There ought not to be any conflict in that regard and would not be, I think, if the word "prevocational" was not used.

Mr. SMITH of Georgia. I do not object to striking out "prevocational" there.

Mr. McKELLAR. Before the Senator takes his seat will he yield to me?

Mr. SMITH of Georgia. The Senator from Michigan is asking me a question.

Mr. McKELLAR. Very well.

Mr. SMITH of Michigan. I suggest to the Senator from Georgia that, as a part of his motion, I believe that the words "prevocation and," on page 6, line 3, should be stricken out.

The PRESIDING OFFICER. That has already been done.

Mr. SMITH of Michigan. Not the word "and."

The PRESIDING OFFICER. By direction of the Chair it has been done.

Mr. McKELLAR. I merely desire to ask the Senator from Georgia this question. Our esteemed friend, the distinguished Senator from New York, has made a number of arguments on this floor urging us to follow the example in this war of England and Canada. I think it has been mighty good logic on his part, and I indorse it. I think we ought to do it wherever they have made a success of war propositions. As I understand the Senator—and I hope he will clear it up if I am wrong—this bill follows the experience of Canada, which is situated precisely like the United States.

Mr. SMITH of Georgia. Except in one respect. In Canada they allow their vocational board to designate the teacher who goes into the hospital. Here we leave that to the Surgeon General, but give him the benefit of the advice of the vocational board.

Mr. McKELLAR. But substantially it is identically the same system?

Mr. SMITH of Georgia. Barring that, it is practically the same. England more recently has come practically to the same plan. In Italy it is the same plan, but their work is largely confined to agriculture, because their rank and file of troops are principally from rural sections.

Mr. KING. I hope the Senator from Georgia will pay some respect to the suggestion that I made yesterday; \$800,000 of this \$2,000,000 appropriation is devoted to the payment of salaries and for the expenses of employees and for administrative purposes. Already the vocational board has a very large appropriation for administrative purposes. The board is already in existence. There is no additional machinery to be created. Of course, when the bill will become a law it will involve the creation of a few new officers and require the services of additional employees. It does seem to me that \$800,000 out of the \$2,000,000 appropriation is entirely too much for salaries, compensation, and administrative purposes, particularly in view of the fact that the machinery already exists, and a large appropriation has been made for administration purposes.

I wish the Senator would consent to an amendment reducing the appropriation to \$300,000 where \$550,000 is provided in the bill for the salaries of employees, and that the appropriation of \$200,000 for administrative purposes be cut down to \$100,000, in view of the fact that the machinery is already in existence.

Mr. SMITH of Georgia. Mr. President, I wish I could yield to the Senator's request, but I can not. A large part of their work is employing teachers. The teachers who instruct these men will do a great part of the work. It is an educational work. It is vocational training. We require them to file quarterly reports of their expenditures, of the salaries paid and the persons to whom paid. We have had not the slightest reason to believe that this board is anything but a careful, painstaking board. They have prorated this money according to the experience of Canada as to the expense in the operation of the work. I would not feel justified to accept his suggestion, and I hope the Senator will not press it. He is always on the side of economy and cutting expenditures, but do not cut this time.

Mr. KIRBY. I ask that the amendment I have proposed be read and that the section be read with the amendment included in it as it would read if the amendment were adopted.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Arkansas [Mr. Kirby]. It will be read and the section will be read as it would read if amended.

The SECRETARY. On page 4, line 3, after the word "hereof," insert the following:

And also for the benefit of all persons injured in civil employment so severely as not to be able to follow their usual vocations who shall likewise be entitled to such instruction without cost therefor under the usual regulations.

So that if amended the section will read:

SEC. 3. That the courses of vocational rehabilitation provided for under this act shall, as far as practicable and under such conditions as the board may prescribe, be made available without cost for instruction for the benefit of any person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under Article III of said act and who is not included in section 2 hereof, and also for the benefit of all persons injured in civil employment so severely as not to be able to follow their usual vocations who shall likewise be entitled to such instruction without cost therefor under the usual regulations: *Provided*, That no monthly compensation, family allowances, or expenses as provided by this act shall be paid on account of any such person availing himself of the courses under this section: *And provided further*, That nothing in this section shall deprive any such person of the benefit of the provisions of said act.

Mr. SMITH of Georgia. Mr. President, I only want to say this: I am not opposed to taking care of those who are disabled in the industries; I am very anxious to do that; but to put the entire number of those who are disabled in the industries upon the Federal Board of Vocational Education, with this limited appropriation, would make it impossible for them to do the work which this bill contemplates their doing.

What I would ask the Senator to do would be to join us, after we pass this bill, in preparing a bill to start in 1920 caring for those who are injured in the industries. We shall then have had 12 months' experience with our work, and shall then know what we are doing. We would then be in very much better condition to take up something for them.

Mr. PAGE. Mr. President, I hope this amendment will not prevail, for I believe we should not enter upon any great work like this except with a condition attached to the legislation that the States themselves should bear a proportionate share of the expense. At this time to take upon the Government the whole burden of this work would be entirely out of harmony with our previous action on vocational education. It seems to me that

we ought not to burden the bill at this time with the Senator's amendment.

Mr. JONES of New Mexico. Mr. President, I should merely like to make this further observation: While I am heartily in favor of the purpose of the amendment, yet we have never engaged in any of this work before. We have not the teachers; we have not the equipment to take upon the Government at this time such a large burden as this amendment would impose. I therefore think that this is not an opportune time to enter upon that work. After we get the law in operation as to disabled soldiers and operate under it a while, then we can easily take on this additional burden; and I think we can then do so to very much greater advantage.

Mr. KIRBY. Mr. President, for the benefit of those who have not heard the discussion of the amendment I would suggest that it only provides that people who are injured in industrial employments shall be furnished the same free tuition as is proposed to be furnished soldiers under like conditions, none of their expenses, however, to be paid. As I understand, the establishment is there with the instructors provided and with the apparatus furnished. Under those conditions I do not see why a man who has been injured in civil employment may not have the benefit of such instruction.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

Mr. KIRBY. I ask for a division.

The question being put, on a division the amendment was rejected.

Mr. WADSWORTH. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. On page 1, in line 9, after the word "who," it is proposed to strike out the words "is disabled under circumstances entitling him, after discharge," and in lieu thereof to insert the words "has been discharged."

Mr. WADSWORTH. The succeeding part, let me say, Mr. President, is part of the amendment which the Secretary has not as yet read.

The VICE PRESIDENT. The Secretary will continue the statement of the amendment.

The SECRETARY. And on line 11, after the name "United States," it is proposed to insert "because disabled under circumstances which entitle him."

Mr. WADSWORTH. Mr. President, perhaps I can with more facility than can the Secretary read the section as it would read if this amendment were adopted. It would then read:

That every person who has been discharged from the military or naval forces of the United States because disabled under circumstances which entitle him to compensation under Article III of the act—

As contrasted with the present language of the bill, which says:

That every person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation—

The Senator from Georgia [Mr. SMITH] and many other Senators who support the bill have reiterated many times that the purpose of this proposed act is to give to the Federal board jurisdiction over men after they have been discharged from the military service, and my amendment is for the purpose of making that perfectly clear.

Mr. SMITH of Georgia. Mr. President, I think it is already perfectly clear; I think the bill is in good shape, and I do not think the Senator will improve it by the language which he proposes. I hope the amendment may be defeated.

Mr. WADSWORTH. Let me state that it is not clear. Let me read from another portion of the bill, to which I have prepared another amendment, where most distinctly it applies to men who have not been discharged. Beginning at the bottom of page 3, section 3, the bill reads as follows:

SEC. 3. That the courses of vocational rehabilitation provided for under this act shall, as far as practicable and under such conditions as the board may prescribe, be made available without cost for instruction for the benefit of any person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under Article III of said act—

If a soldier has been disabled under circumstances and in such a way as to entitle him after discharge to compensation, this act applies to him, although he may not have been discharged.

Mr. JONES of New Mexico. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. I yield.

Mr. JONES of New Mexico. If the amendment which has just been proposed be adopted, then I take it that the medical board operating in the hospitals would have no authority to request cooperation of this vocational board, and it would deprive

the hospitals of the benefit of the aid of the persons employed and working under this vocational board. It therefore strikes me that the amendment which the Senator from New York suggests would militate against the very thing which he has in mind as being desirable.

Mr. WADSWORTH. If the Senator will read section 6 of the bill, I think he will find that the War Department would have the right to ask the assistance and counsel of outside help in training in the military hospitals.

Mr. JONES of New Mexico. I must say, then, if that be so, and if we are going to permit that to remain, I do not see the purpose of the Senator's amendment.

Mr. WADSWORTH. Mr. President, I have explained the purpose of the amendment just as clearly as I could, but, at the risk of boring the Senate to death, I will do it again.

It has been stated over and over again by the supporters of this bill that it is intended to apply only to men who have been discharged from the military service, but it is not so confined.

Mr. JONES of New Mexico. Mr. President—

Mr. WADSWORTH. Just a moment. The language is perfectly plain as it is written in the bill to-day. It does apply to men who have been disabled, but not discharged.

Mr. JONES of New Mexico. Mr. President, I think the Senator from New York has probably misunderstood the interpretation placed upon it. So far as the authority to control is concerned, it applies only to men after discharge, but so far as furnishing the means for rehabilitation and vocational education is concerned while the disabled soldier is in the hospital, the bill does apply by furnishing the facilities to aid the hospital authorities in carrying on the work. However, the authority of this board does not attach until after the discharge of the soldier.

Mr. LENROOT. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to call the attention of the Senator from New Mexico [Mr. JONES] to the fact that these means are not available at all, except as the soldier follows the prescribed course of instruction, and so unless the board has the power to prescribe the course of instruction in the hospital the soldier could not have the benefit of the act.

Mr. JONES of New Mexico. I think the Senator from Wisconsin is right in interpreting that as requiring the voluntary act on the part of the soldier.

Mr. WADSWORTH. Mr. President, my purpose in offering this amendment, as I before stated, is to make this matter perfectly clear. If any Senator can say that the amendment which I have suggested does any harm to this bill, I wish he would say it.

Mr. JONES of New Mexico. It may not do any harm, provided the other language of the bill is retained, but to strike out the language which the Senator wishes to strike out would be striking out language which is in harmony with the other provisions of the bill.

Mr. WADSWORTH. No, Mr. President, I have not suggested the striking out of any language which would deprive any soldier in the United States of educational training. I am only proposing to change the language so as to make it perfectly clear that the educational training to be given by this board shall follow the principle laid down by the Senator from Georgia and be applicable only to men after they have left the Army; that is all.

Mr. SMITH of Georgia. The words "and who, after his discharge, in the opinion of the board, is unable to carry on a gainful occupation," on page 2, carry their meaning.

Mr. WADSWORTH. Yes; Mr. President, that is on page 2, but the connecting section—

Mr. SMITH of Georgia. That is the first place designating the special authority for action.

Mr. NELSON. Mr. President—

Mr. WADSWORTH. I desire to reply to the Senator from Georgia. What possible harm would it do to substitute, as I have suggested, the words "is disabled" for the language "has been discharged"—if that is what the Senator wants?

Mr. SMITH of Georgia. I am sure it could not do any possible good.

Mr. WADSWORTH. Well, the Senator and I differ upon that question. At the bottom of page 3 it certainly makes a difference. Now, I invite the Senator to read the language in the beginning of section 3.

Mr. SMITH of Georgia. I was just looking at the language in section 3, and I am not sure that the word "discharged" might not with propriety be added there.

Mr. WADSWORTH. Not added, but substituted for "disabled."

Mr. SMITH of Georgia. No.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. WADSWORTH. I yield to the Senator from Minnesota.

Mr. NELSON. It seems to me, coming back to section 2, that the language of section 2 is much more to the advantage of the soldier than the amendment proposed by the Senator from New York. I am looking at it from the standpoint of the soldier.

Mr. WADSWORTH. So am I.

Mr. NELSON. While the soldier is in the service he continues to draw his pay as a soldier until he is discharged, and if during that period he can get some vocational training, why should he not get it? Why should he have to wait until after he is discharged?

Mr. WADSWORTH. He will not have to wait.

Mr. NELSON. That is the effect of the Senator's amendment.

Mr. WADSWORTH. Mr. President, I decline to be misunderstood in that way. I want the Senator from Minnesota clearly to understand that I am in favor of vocational training of these men, and furthermore, I am convinced—and I have it on the highest authority—that the vocational training must commence in the hospitals. But the Senator from Georgia time and time again has said that this bill does not take effect upon a soldier until after he has been discharged. I want that thoroughly understood.

Mr. SMITH of Georgia. I said—

Mr. NELSON. I am not predicating what I said to the Senator from New York upon what the Senator from Georgia has said; I am predicating it upon the language of the bill, and I say the Senator's amendment as he has proposed it to that section is to the disadvantage of the soldier. It is much more for the benefit of the soldier to have the language as it is now in the bill. I do not care what remarks have been made by others; I am predicating what I have to say upon the bill, and the language of the bill is clear that a soldier can receive vocational training before he is mustered out of the service, and so long as he is not mustered out of the service he draws his pay as a soldier in the Army. Why should not a crippled soldier have that little benefit as long as possible?

Mr. WADSWORTH. Mr. President, I regret that this topic should be brought up again. There is not the slightest doubt in my mind, and I do not think there is in the minds of a majority of the Senators, that the Surgeon General of the Army has the right to afford vocational training to wounded men, and he is doing it to-day in trade schools and machine shops. The criticism that has been directed against this bill is that while the Surgeon General has been busy with this work, carrying it on to-day for wounded soldiers just as the Senator from Minnesota wants it done, an outside authority under this bill will be injected into the situation and cause friction. That has been the criticism made against this bill. In reply to that criticism we are told that that is impossible under the bill; that they can not go into the hospitals, that they can not teach these soldiers until they are discharged. All I want is to have that made clear.

Mr. NELSON. Mr. President, will the Senator yield further to me?

Mr. WADSWORTH. I yield.

Mr. NELSON. What right has the Senator to assume that there will be friction between the Surgeon General's office and the Vocational Educational Board? I ask the Senator why does he assume that there will be friction? Is it because the Surgeon General's office does not want anybody to interfere with them? Have they got on such a high horse that they will not permit any other branch of the Government to cooperate with them? Is that what the Senator means by "friction"?

Mr. WADSWORTH. Mr. President, let us not attempt to question the motives or the good judgment or the discretion of any branch of the Government—the Surgeon General or anybody else—but, as a matter of good administrative policy, I think the Senator from Minnesota knows that we will at least avoid all danger of friction if we place authority in one hand.

I ask for the yeas and nays on my amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from New York [Mr. WADSWORTH], on which he demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KELLOGG (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], and therefore withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the Senator from North Dakota [Mr. McCUMBER], which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. WATSON (when his name was called). I have a pair with the Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote.

Mr. WEEKS (when his name was called). I transfer my general pair with the senior Senator from Kentucky [Mr. JAMES] to the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and vote "yea."

The roll call was concluded.

Mr. GERRY. I inquire if the Senator from New York [Mr. CALDER] has voted?

The VICE PRESIDENT. He has not.

Mr. GERRY. I have a general pair with that Senator, which I transfer to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I transfer that pair to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. OVERMAN (after having voted in the negative). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. He being absent, I transfer my pair to the Senator from Illinois [Mr. LEWIS] and will let my vote stand.

Mr. JONES of Washington. I desire to announce that the senior Senator from Michigan [Mr. SMITH] is necessarily absent. He is paired with the senior Senator from Missouri [Mr. REED].

I also wish to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on important business.

Mr. REED (after having voted in the negative). I desire to correct the Senator, if I may. I have a pair with the Senator from Michigan [Mr. SMITH], but it is a limited pair, limited to an occasion when one of us is out of the city, and I did not understand that the Senator from Michigan was out of the city.

Mr. JONES of Washington. He is not; but he asked me to make that announcement. I did not know the Senator from Missouri was present.

Mr. REED. In view of the fact that the Senator from Michigan, I take it, is relying upon the pair, I withdraw my vote.

Mr. DILLINGHAM. I inquire if the Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I have a general pair with that Senator, which I transfer to the Senator from Maine [Mr. HALE] and vote "yea."

Mr. WEEKS (after having voted in the affirmative). The Senator from New Jersey [Mr. FRELINGHUYSEN], to whom I transferred my pair, having come into the Chamber, I now transfer my pair to the junior Senator from Michigan [Mr. TOWNSEND] and will let my vote stand.

Mr. CURTIS (after having voted in the affirmative). I desire to ask if the junior Senator from Georgia [Mr. HARDWICK] has voted?

The VICE PRESIDENT. He has not.

Mr. CURTIS. I transfer my pair with the junior Senator from Georgia to the junior Senator from Indiana [Mr. NEW] and will let my vote stand. I wish to announce that the junior Senator from Indiana is absent on official business.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is detained on official business.

I wish also to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained on account of illness in his family.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS].

Mr. BRANDEGEE. I am paired for the day with the senior Senator from Alabama [Mr. BANKHEAD]. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Arkansas [Mr. ROBINSON] and vote "nay."

The result was announced—yeas 22, nays 36, as follows:

YEAS—22.

Brandegge	Frelinghuysen	Norris	Smoot
Cummins	Gallinger	Polndexter	Sterling
Curtis	Harding	Pomerene	Wadsworth
Dillingham	Jones, Wash.	Ransdell	Weeks
Fernald	Lenroot	Saulsbury	
France	Lodge	Sherman	

NAYS—36.

Ashurst	Fletcher	Johnson, Cal.	King
Borah	Gerry	Johnson, S. Dak.	Kirby
Chamberlain	Guion	Jones, N. Mex.	McKellar
Colt	Henderson	Kenyon	McNary

Nelson
Nugent
Overman
Page
Pittman

Reed
Shafroth
Sheppard
Shields
Smith, Ariz.

Smith, Ga.
Smith, S. C.
Sutherland
Thomas
Thompson

Tillman
Trammell
Underwood
Vardaman
Willey

NOT VOTING—38.

Baird
Bankhead
Beckham
Calder
Culberson
Fall
Goff
Gore
Gronna
Hale

Hardwick
Hitchcock
Hollis
James
Kellogg
Kendrick
Knox
La Follette
Lewis
McCumber

McLean
Martin
Myers
New
Owen
Penrose
Phelan
Robinson
Simmons
Smith, Md.

Smith, Mich.
Swanson
Townsend
Walsh
Warren
Watson
Williams
Wolcott

So Mr. WADSWORTH's amendment was rejected.

Mr. GALLINGER. Mr. President, I will ask the Senator from Georgia to focus his keen analytical mind on the title of the bill, as well as to the use of certain words throughout the bill, namely, the words "vocational rehabilitation." I will ask the Senator if the words "vocational rehabilitation" express the idea he means to convey? We can all understand "surgical rehabilitation," but "vocational rehabilitation" is a misnomer.

Mr. SMITH of Georgia. I think that means rehabilitation by vocational training.

Mr. GALLINGER. That is not what it says.

Mr. SMITH of Georgia. We differ about that.

Mr. GALLINGER. The Senator throughout the bill, in two or three places at least, will find that "vocational training" is mentioned. For instance, on page 5, line 26, the words "vocational training" are found, and the word "training" is used in one or two other places at least in the bill. It seems to me that the language should be "vocational training." We can not rehabilitate a thing that does not exist. We are to teach the soldiers something that they have not known. So we do not rehabilitate them in that regard, and I ask the Senator if it will not be agreeable to him to substitute the word "training" for the word "rehabilitation" wherever it occurs in the bill?

Mr. SMITH of Georgia. Mr. President, if that were done, I think the proper course would probably be to use the term "for vocational training for rehabilitation and return."

Mr. GALLINGER. I do not think that improves it. I tried to rehabilitate the American merchant marine, because it did not exist. You can not rehabilitate a man into something that he has not possessed at some time previously. I will not make the motion now, but before the bill passes, unless the Senator does that, I will make a motion to strike out the word "rehabilitation" wherever it occurs and substitute the word "training."

Now, Mr. President, I ask that an amendment I suggested a while ago be acted on. I will say, in a very few words, having pretty accurate knowledge as to the proper management of hospitals, as well as the proper management of the sick room, that to authorize, even by implication, any board or any person to invade the hospital or the sick room without the consent of the medical officers in charge would be a very unusual and a very wrongful thing. My amendment simply proposes that no vocational training or teaching shall be undertaken in the hospitals without the explicit authority of the medical officers in charge. I think the Senator from Georgia, however he may feel about "vocational rehabilitation," will agree to the soundness of my amendment, covering as it does that one particular thing.

Mr. SMITH of Georgia. Has it been reported?

Mr. GALLINGER. It will now be reported.

The SECRETARY. On page 3, line 10, after the word "withheld," it is proposed to insert the following proviso:

Provided, however, That no vocational teaching shall be carried on in any hospital until the medical authorities certify that the condition of the patient is such as to justify such teaching.

Mr. SMITH of Georgia. Mr. President, so far as I am concerned, I am ready to accept that amendment. I think it is perfectly sound. I have spoken to several other members of the committee, and I think each member of the committee agrees with me in regard to it.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. FRANCE. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 4, it is proposed to strike out the word "board" and insert the words "office of the Surgeon General."

Mr. FRANCE. Mr. President, I do not care to lengthen this debate; but I do feel, as a medical man, that a very grave mistake would be made if this work of physical rehabilitation were

taken out of the hands of the Surgeon General and put into the hands of any board. From my standpoint, the case has been very clearly stated by the Senator from New York [Mr. WADSWORTH], the Senator from Utah [Mr. KING], and the Senator from Louisiana [Mr. RANSDELL]. I offer this amendment, the effect of which will be, if adopted, to leave the bill practically as it is, except that all of the functions to be performed under the legislation will be performed directly under the Surgeon General. I offer this first amendment, and, if it is adopted, I have other amendments which will perfect the bill so that it will conform to this amendment.

Mr. SMITH of Georgia. Mr. President, this amendment goes to the very bottom of the bill. A vote for it is a vote against the bill. That is practically the situation. Therefore I shall not discuss it.

Mr. POMERENE. Mr. President, I am not entirely clear whether I ought to vote for this amendment or against it, notwithstanding what the Senator from Georgia has said. There seems to be a disposition on the part of certain Senators to charge others who differ from them with being opposed to vocational training.

Mr. SMITH of Georgia. Mr. President, I did not say that. I said that a vote for this amendment was a vote against the bill.

Mr. POMERENE. That has been substantially said by one or two Senators.

Mr. SMITH of Georgia. But I did not say it.

Mr. POMERENE. I can submit to unfair criticisms at times, but at other times they go entirely too far. My own judgment about this bill is that it would be very much better if the bill were referred back to the committee, in the light of the criticisms which have been made from the floor, and if, perhaps, out of the abundance of this information, some modifications of the bill were to be made.

Now, let me make this suggestion: The administration of the powers provided for in this bill is referred to the Federal board for vocational education. This board was provided for under a bill that I very much approved, but it was to provide for the vocational training of normal human beings, possessed of normal faculties, possessed of arms, and legs, and eyes, and nose, and mouth, and ears. The board is to be composed of certain Cabinet officials and three other citizens to be appointed. I dare say that if any Senator were appointing those three civilians he would appoint one class of men, if they were to have control of normal human beings; but when we understand that the purpose of the pending bill is to train men who have lost some of their members, it seems to me that we want another type of men to have charge of their instruction. We have many splendid teachers in our public schools to teach the use of normal faculties, but we would not employ those same teachers to go to a school provided for the blind or the deaf or the dumb.

Mr. JONES of New Mexico. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New Mexico?

Mr. POMERENE. Pardon me just a minute. We are to deal with these unfortunates who come back from the battle lines, and notwithstanding the criticisms that have been uttered by some Senators against those who are not quite willing to accept all of the provisions of this bill, I think there is not a Member of the Senate who is not in favor of vocational training for these unfortunate soldiers when they come back, and I am willing to go to any length that may be necessary from a financial standpoint to help provide for their future.

Up to date, however, those who are under treatment in the hospitals have been under the charge of skilled surgeons. Why? If a patient's arm is off, surely a surgeon, who knows the human body and knows every bone, muscle, sinew, and nerve, is the proper man to teach that patient how to get control of his physical faculties. I do not say that he alone should have control of the patient, but I am fearful that when we attempt to put the education of these abnormal men—abnormal physically, I mean, because of their crippled condition—under a board which was organized for the training of another class of individuals, we may not be serving to the best purpose the ones whom we wish to serve. That is my view about it.

Mr. JONES of New Mexico. Mr. President—

Mr. POMERENE. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I suppose the Senator recognizes that this is a new undertaking; does he not?

Mr. POMERENE. I do.

Mr. JONES of New Mexico. And we have no class of people skilled in this line of work who are particularly fitted to conduct the work at the present time.

Mr. POMERENE. Mr. President, I do not accept that statement, and I do not accept it for this reason: There are American medical men who have been over on the battle front from the

time this war began, studying this proposition. I know of some of them myself.

Mr. JONES of New Mexico. Mr. President, it occurs to me that while these medical men may have some learning connected with the uses which may be made of partial members of the human body, yet they have no connection with the business interests of the country which would enable them to know to what uses the soldiers might be put. As I understand, in Canada they are training disabled soldiers in 196 different lines of industry, and it would not do to train all of these people for the same vocation. Inasmuch as we have no class of people especially equipped to carry on this training, is it not reasonable to suppose that men who are engaged in the vocational training of normal people are better equipped for this purpose than mere medical men?

Mr. POMERENE. Mr. President, I do not know of anybody who has even suggested that all these men should be trained for one vocation. Why should a suggestion of that kind be made here on the floor of the Senate in a sober discussion of a question of this kind?

The thing that is most needed is to teach the patient how to use his muscles, how to use these crippled members; and with all due respect to the other 94 Senators on this floor, I would have more confidence in the ability of the 2 medical Members of this body to teach the patients how to resume the normal use of their members than I would in the ability of the other 94.

This bill in its present form came to this body of the 21st of this month, if I remember the date correctly.

Mr. SMITH of Georgia. But with practically no change except the change which consisted in leaving out the provision that on the action of the Board for Vocational Education these men could be put back into the service and held under discipline. That is the only provision that was stricken from the bill. The balance is simply a change of verbiage; and in its last shape it is simply the perfected bill on which the committee had completed its work.

Mr. POMERENE. I accept the Senator's statement with regard to that, but I do not quite see what was the necessity of presenting this substitute bill. That, however, is neither here nor there. Senators have been very much engaged in other matters, and I know that I have not had the time to study this bill that I should like to devote to it because of my other engagements. It may be that after a further study I would accept it rather than the other; I do not know; but I have been very much impressed with the force of the arguments which have been made by Members here to the effect that to a certain extent, at least, these patients should be under the control of the Medical Department of the War Department. I do not say that they should be entirely under their control, but I think they should be for some time, at least; and it is very important that as early as possible after a partial recovery these patients shall be given the benefit of this training, whatever it is to be, and in such degree as the attending surgeons may say they ought to be permitted to be trained.

Mr. SMITH of Georgia. Mr. President, I only desire to say that this amendment goes to the very root of the whole question involved. Shall the Surgeon General undertake to handle these soldiers up to the time they are placed in employment? Shall he, without any special training in educational work, without any special study of vocational problems, without a knowledge of the industries of the whole country, and the possibilities of work, have this task intrusted to him, or shall it be intrusted to the Board for Vocational Education?

Mr. LODGE. That is, the alternative is that it shall be intrusted to a board who have no medical knowledge whatever.

Mr. SMITH of Georgia. No. After the Surgeon General has discharged the soldier, after the medical work has been finished, he then goes to the civilian board.

Now, I only wish to say this: The subject, instead of being new with the introduction of the bill in May, has been actively before the Senate and before the country for the past three months. I have put matter into the Record upon the subject; I have called for reports upon it; I have sought to attract the attention of the Senate to it. Dr. Gifford and the Council of National Defense put a substantial amount of work upon it. A committee of which Mr. Roosevelt, the Assistant Secretary of the Navy, was a member, put a large amount of work upon it. Trained educators did the same thing. The Red Cross has done so. The representative of the Red Cross came to us and advised us that the successful work had only been done for the soldier when, as soon as possible, he was removed from uniformed control and put under civilian control. The director of the Canadian work came and told us that that was true of Canada and that they conducted their work in that way and had made a success of it in that way. An investigation of the policy of

England, France, and Italy disclosed that after trying out the subject they found the greatest good was accomplished by placing the soldier, after he left the hospital, in charge of civilian instructors; and the conclusion brought to us from this broad study of the experience of other countries was that when the soldier left the hospital civilian direction of his preparation again for vocational occupation was best.

Mr. GALLINGER. Mr. President, will the Senator permit me to ask him a question?

Mr. SMITH of Georgia. Certainly.

Mr. GALLINGER. I will ask the Senator if Canada has, in connection with this most excellent work, a board corresponding to the board that is provided for in this bill?

Mr. SMITH of Georgia. Not entirely, because Canada has not a formally established board for vocational education; but Canada created a board to handle this work. It is not as desirable as ours, I think, because they had to go into it as a task more nearly new to them—

Mr. GALLINGER. The Senator is sure that a board was established?

Mr. SMITH of Georgia. I am sure that Mr. Kidner so stated. I think they call it a commission.

Mr. GALLINGER. It is a board in aid of the work of certain citizens, as I understand it.

Mr. SMITH of Georgia. They call it a commission—a citizens' commission, perhaps, or a civil commission supported by the Government—

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. I do.

Mr. CUMMINS. I desire to ask a question of the Senator from Georgia. Does he understand that under the amendment pending, and others which are to be offered, as suggested by the Senator from Maryland, after the soldier is discharged and becomes a civilian his vocational training shall still be in the hands of the War Department?

Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. That is the meaning of the amendment?

Mr. SMITH of Georgia. That is the effect of it.

Mr. FRANCE. Mr. President, I think my amendment requires some further explanation. I have a very long amendment, which is practically a series of amendments, which changes the bill quite materially, inasmuch as the effect of these amendments would be to put all of this training or rehabilitation work under the direct supervision of the Surgeon General. These amendments, however, go further than that. They also provide that this training shall be given while the man is still in the Army. I believe that this rehabilitation work should be begun immediately and that it should be continued until the man is discharged. I am very decided in my opposition to a voluntary system of rehabilitation training.

I do not care to go into any extended argument this afternoon, because I feel that the question is quite well understood; but I am decided in my opposition to a voluntary system when it comes to this matter of rehabilitation. I believe that it should be compulsory, and that in order to be successful it must be compulsory.

In this connection I will read what seemed to be a huge joke to the committee, but which I think carries within it the many tragedies which will follow if we do not make this system of rehabilitation compulsory:

The CHAIRMAN. Suppose in Canada he [the soldier] said, "I do not want the vocational training that you will give me. I do not want to be prepared as you will wish to prepare me. I wish to go home." What do you do with that man?

And the Canadian, Mr. Kidner, said:

We would say, "Good morning." [Laughter.]

The CHAIRMAN. "Go home"?

Mr. KIDNER. Yes.

I think it would be a very great mistake to say to this man who might say, "I do not wish this training," "Good morning; go home. If you prefer to be a pensioner on the Government all the rest of your life, go home; we will have nothing more to do with you."

Personally, I believe in compulsory education. I think that one of the great national failures which has been revealed in this war is our failure to properly train all of our youth for citizenship, both in time of peace and in time of war. I believe that this rehabilitation work should be carried on before the soldier is discharged, and when I say that I feel that I am in agreement with the authorities who have carefully studied this question.

Mr. BRANDEGEE. Mr. President, may I ask the Senator a question at that point?

Mr. FRANCE. Certainly.

Mr. BRANDEGEE. I entirely agree with the Senator that the treatment ought to be compulsory as long as the soldier is in the military service of the United States and until he is discharged from the Army; but after he becomes a civilian and goes back to his State, how can the system be made compulsory, either under a board or under the Surgeon General's authority, in any other way than by saying that if the man does not take the treatment prescribed he shall forfeit his claim to certain benefits to which he otherwise would be entitled?

Mr. FRANCE. It could not be made compulsory, and I think the issue here is very plain. It is not merely a question as to whether the Surgeon General or the vocational board shall have charge. It is a question as to whether we shall adopt the compulsory or the voluntary plan; and I feel that the compulsory plan is the only one which, particularly under our American conditions, will give us the desired results.

Mr. SMITH of Georgia. Mr. President, the Senator's idea is that the man shall be kept in the military service and controlled as a soldier?

Mr. FRANCE. Yes; that is my view, and it is a view which I think is shared by the majority of the medical men who have considered this subject.

Mr. NELSON. Mr. President, will the Senator allow me to ask him a question?

Mr. FRANCE. Certainly.

Mr. NELSON. Would not the Senator's plan lead to the retention of the soldier in the service indefinitely? It might take years and years before the man was thoroughly rehabilitated, and under the Senator's idea, as I understand it, the soldier ought to remain in the military service in order to have this vocational training, in order to make it compulsory. Is that the Senator's idea?

Mr. FRANCE. My thought is that it would not take such a long time to reconstruct the soldier and to rehabilitate him.

Mr. CUMMINS and Mr. PAGE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Maryland yield; and if so, to whom?

Mr. FRANCE. I yield to the Senator from Iowa, who addressed me first.

Mr. CUMMINS. Does the Senator think that his amendment fairly presents the view he has just expressed, so that one would vote directly upon the question?

Mr. FRANCE. It does not. I will say to the Senator that my amendment is really part of a long series of amendments. However, I present this fundamental amendment at this time in order to test the views of the Senate upon this subject. The question to be decided, I think, as we vote upon this amendment is a double question: First, shall this work of reconstruction be carried on by medical men or by laymen? Second, shall it be compulsory or shall it be voluntary? Those two questions are involved, I think, in my amendment.

Mr. CUMMINS. As the amendment is now presented, if it should be adopted and the other amendments are not agreed to, we would then have the situation in which the War Department, through the Surgeon General, undertakes to train civilians, soldiers after they are discharged. And allow me to ask another question. Is it the Senator's view that the Government shall select the employment for which the disabled soldier is most fit and compel him to follow that employment?

Mr. FRANCE. No; that is not my thought.

Mr. CUMMINS. If training or vocational rehabilitation, if there is such a thing as that, is to be carried on by the Government, if the Government is to establish the course and it is to be compulsory, then, I take it, the Government must determine what that man shall in the future do in order to earn a living. I can not quite understand the scope of the amendment of the Senator from Maryland.

Mr. PAGE. Mr. President—

Mr. FRANCE. I yield to the Senator from Vermont.

Mr. PAGE. For a question. I should like to ask the Senator if, in his opinion, we could hold a man who has enlisted for the war after the termination of the war for the purpose of vocational education?

Mr. FRANCE. I should think that we might. If it were for his own benefit and for the benefit of the community, I think the Government is under an obligation to take the men who may be disabled in the service of the country and place them in the very best possible position to take up again their duties in civil life.

Mr. PAGE. But did we not enter into a fair contract with these men when they were enlisted in the service that they were to serve during the war? Having made a fair contract with them, ought we not to keep it? We have said that when the war has terminated they should be discharged.

Mr. BRANDEGEE. If I may make a suggestion to the Senator, my strong impression is that under the draft act the

men can only be drafted for the period of the war, and that their services would terminate automatically with the war. However that may be, I am going to ask, now that I am on my feet, if the Senator from Maryland will permit me, if it is not possible for him to so state the whole series of his amendments or else state what the exact effect upon the bill would be if all the series of amendments were adopted, because a vote on the first one is not quite fair unless we can see the effect of the rest on the bill.

Mr. GALLINGER. Will the Senator permit me?

Mr. FRANCE. I yield.

Mr. GALLINGER. I want to make an appeal to the Senator from Georgia. The Senator from Maryland has offered one amendment, which is a part of or intimately connected with a series of amendments which he proposes to offer. I ask the Senator from Georgia if he does not think it would be wise to let the bill go over, that those amendments may be printed so that we may see them all at a glance?

Mr. SMITH of Georgia. I had hoped we could vote on the bill this afternoon. If we vote down the first amendment, the balance of the amendments the Senator from Maryland does not expect to offer. It is simply the issue raised as to whether the Surgeon General's Department and the Army shall have charge or whether it shall be civilian charge.

Mr. GALLINGER. It seems to me it is a vain hope that we will vote on the bill to-night. There are other amendments to be offered, and some of us want to indulge in a little conversation on the bill itself.

Mr. SMITH of Georgia. Then I ask unanimous consent that when the Senate ceases its session to-day it shall take a recess until 12 o'clock to-morrow.

The VICE PRESIDENT. Let it be this way: That at not later than the hour of 6 o'clock p. m. to-day the Senate shall take a recess until 12 o'clock to-morrow.

Mr. SMITH of Georgia. All right.

The VICE PRESIDENT. Is there objection?

Mr. GALLINGER. Mr. President, just a word. A great many Senators are very busily engaged in committee work, and it has been mooted, at least, that we might have one day off, and that would be Saturday. The bill will not be injured by going over until Monday.

Mr. SMITH of Georgia. I object, Mr. President, to that. I think we ought to go on with the bill and finish it. There is other work to come up on Monday, and, while I regret that we have not gotten through—

Mr. GALLINGER. What other work has the Senator reference to?

Mr. NELSON. Mr. President, will the Senator from Maryland yield to me? I think he is entitled to the floor.

The VICE PRESIDENT. There are seven Senators on the floor.

Mr. FRANCE. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say that this amendment of the Senator from Maryland goes to the very heart of the bill. The question is whether you are to have the work done under this board or under the Surgeon General, and we can vote on it to-night and dispose of it. When we have disposed of it, if we vote it down, there will be no occasion to consider the other amendments. If we adopt it, then there will be time enough to consider the other amendments.

Mr. SMITH of Georgia. I had hoped we could give it that direction. I do not think anyone wants to debate this subject further.

Mr. GALLINGER. The Senator from Georgia and the Senator from Minnesota have asserted that this amendment goes to the very heart of the bill. I will ask the Senator from Maryland a question. I do not know what his amendments are, and I think we ought not to be compelled to vote on an amendment or a series of amendments without knowing what the other amendments are. I ask the Senator from Maryland if he proposes to strike out this language:

For the preparation of instructors and salaries of instructors, supervisors, and other experts, including necessary traveling expenses, \$545,000.

If the Senator does not propose to strike that language out, then it is in the hands of the Surgeon General, and he has the authority to employ these agents and helpers in the administration of the law. So it does not go to the very heart of the bill. It does not destroy the bill, as it has been suggested it would.

Mr. FRANCE. I will say in answer to the Senator from New Hampshire that I do not contemplate striking out those words. The purpose of my amendment is merely to change the authority back to the Surgeon General, and to have the work carried on while the soldier is still in the service before his discharge. Those really are the purposes which will be accom-

plished if the amendments which I have prepared are adopted. I am perfectly willing to have a test made upon the first amendment, with the understanding, of course, that those who vote for the first amendment will vote to perfect the bill by adopting the subsequent amendments which I shall offer. That is perfectly agreeable to me.

Mr. McKELLAR. That is perfectly fair.

Mr. FRANCE. I do not care to take any further time, because I think probably all Senators understand the subject.

Mr. KING. Will the Senator yield?

Mr. FRANCE. I yield.

Mr. KING. I do not propose to ask a question, but it is really an appeal to the Senator from Georgia. I listened with great interest to the statement made by the Senator from Ohio [Mr. POMERENE]. I think he expressed the views of a number of us. I am not satisfied with this bill. I am not satisfied with the lodging of this power in the hands of this civilian board. We are embarking upon a plan, a scheme, an undertaking the magnitude of which few of us fully comprehend. It does not mean this \$2,000,000. It means ultimately, with the subsequent legislation which will come, with the coordination of this board perhaps with State activities, the appropriation of millions and tens of millions and possibly hundreds of millions of dollars.

I want to appeal to the Senator from Georgia, who has handled this bill with great skill and with great ability, and who has thrown his whole soul into this matter, to let it go over until Monday. I do not think there ought to be any intolerance. We are all in favor of some broad, comprehensive scheme that will care for those who are wounded and rehabilitate them so far as it can be done for the activities of life. Some of us are deeply interested in it. Our boys are going over. Our relatives are there. Those whom we love are there. There is no opposition to a broad and comprehensive plan that will deal in an effective and proper way with those who are wounded and maimed.

It seems to me that when we are laying down a plan that will be enduring, a plan that is to deal with this question, it ought to be a broad and a comprehensive one. The Senators who have been on the committee have had advantages denied to the rest of us. I am not complaining. They have studied this question for weeks, possibly months. To many of us it is a new proposition. The importance of it we are trying to comprehend, and because we are not as fortunate as they and do not have the information they possess they ought not to challenge our devotion to this important measure because we do not immediately accept the views which they so sincerely and so lucidly present.

Mr. GALLINGER. Mr. President—

Mr. KING. I yield to the Senator.

Mr. GALLINGER. If the Senator will permit me, I believe the Senate will agree that I am reasonably diligent upon the work of the Senate, yet I had no knowledge that a bill of this kind was being considered until I came into the Senate Chamber and found it was before the Senate for consideration. That may not be a tribute to my intelligence or my careful watchfulness over legislation in this body, but it is the fact. Then, when I found the bill was being considered, I took it and made a little study of it.

Mr. KING. If the Senator from Maryland will still pardon me, and I thank him for his courtesy, I am not satisfied with the bill in its present form, and I am not satisfied exactly with the suggestion made by the Senator from Maryland. I was in hopes that with the benefit which all of us I am sure have derived from the debate to-day, further opportunity for reflection upon the part of Senators would be provocative of good and would result possibly in a bill that would meet the desires and the demands and views of all, and possibly be an improvement upon the one which is now before us for consideration.

If there was hostility to the bill, to the plan in general, if there was factious opposition to it, then there would be perhaps some excuse for the driving power and insistence of my distinguished friend from Georgia. But I beg of him to let the matter go over until Monday and give us further opportunity to read the testimony and to digest the suggestions which have been made with a view to agreeing upon some measure which will meet the demands of all.

I thank the Senator from Maryland for his courtesy.

Mr. HITCHCOCK. Will the Senator from Maryland permit me.

Mr. FRANCE. Certainly.

Mr. HITCHCOCK. I will suggest another reason why the bill ought to go over to-night. The Senate ought to have an executive session. It is now a quarter after 5.

Mr. SMITH of Georgia. I agree that it shall go over until to-morrow.

Mr. McKELLAR. The Senator from Maryland, if I may be permitted to interrupt, is perfectly willing to have a vote on his amendment. It seems that every Senator here understands it fully. I do not see why we can not vote upon it.

Mr. FRANCE. Mr. President, I may say that I would prefer, of course, to have the consideration of this measure go over. I find myself in entire agreement with the remarks just made by the Senator from Utah [Mr. KING]. I think I am in entire sympathy with the purposes which the Senator from Georgia has in mind. In fact, for a long time I have been very deeply interested in his wonderful work for the promotion of vocational education in this country.

I feel, however, that a mistake is being made in this particular legislation. I find that my very brief remarks already have been somewhat misunderstood. The Senator from Iowa [Mr. CUMMINS] asked me what I meant by the compulsory system. It would take me some time to go into that fully. I mean simply that the man while in the service of the country will be compelled to take some form of rehabilitation treatment which will be compulsory in the same sense that his medical or surgical treatment is compulsory. I could make that perhaps more clear by going into specific cases which I myself have seen in the base hospitals which I have visited. I could explain, by going into particular cases, exactly what I mean by the compulsory system of training. It does not mean that a man will be compelled to take training in some particular vocation, but that he will be compelled to take rehabilitation training of some kind. There is no opposition on the part of the men, I may say, to taking that training. They eagerly welcome it. The cases which have been presented this afternoon do not clearly represent the condition. There are patients who are compelled to remain in hospital and in bed for months. Take a patient, for example, whose two lower extremities have been burned or where there has been a compound fracture. That necessarily compels his confinement for a long time. While that man is in bed, he can be trained not only in telegraphy and typewriting and stenography, but he can also be trained for a profession, the study of which may have been interrupted when he went into the service.

Mr. WADSWORTH. On that very point, may I remind the Senator that there is a soldier now in the Walter Reed Hospital who lost both legs back of the line in France last October. The man is still in the hospital and undergoing a course of treatment and is studying chemistry. His course in chemistry was commenced at the University of Verdun before he enlisted in the service. That illustrates exactly what the Senator is bringing out. He is doing it under the auspices of the Surgeon General.

Mr. FRANCE. I will say to the Senator from Georgia I do not feel that we are in opposition at all as we consider this measure, but I think the whole plan which we are contemplating for physical and vocational rehabilitation should be vastly enlarged. Of course, my chief dissatisfaction with this plan is that it is not big enough to fit the case. I have stood here day after day until I was almost ashamed to stand on the floor of the Senate and pleaded for the organization of this Nation for war. We can not win this war with an Army alone. Why can we not have the scales struck from our eyes, so that we may see this mighty task in all its proportions?

Mr. President, it is absurd to take a man who has been crippled at the front and rehabilitate him and not take the man who has been crippled by falling from the hull of a ship where he is riveting. If his fall results in a permanent disability we should take him also and reconstruct him. Of course that can not be done under this plan. We need a large plan for the prosecution of this war. We should have the shipbuilders drafted into the Army as the shipbuilders' corps, and when those men meet with an accident by which they become permanently disabled they should be taken out and rehabilitated and reconstructed. It is now just as much a military operation to shovel coal out of a mine as it is to shovel it into the boiler of a man-of-war.

I hope the Senator from Georgia will let the matter go over in order that we may consider this whole question from the standpoint of adopting a more comprehensive plan than that which is now under consideration, a plan which would make it possible for us to reconstruct those injured in industries as we are trying to reconstruct those injured at the front. I also feel that the insurance feature should be extended to men not engaged in strictly military operations, but in such work as the iron and steel industries, in riveting ships, and in the manufacture of munitions.

Mr. HITCHCOCK. I should like to ask the Senator whether he will yield to me, in order that I may move an executive session?

Mr. FRANCE. I yield, with pleasure.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

On a division the motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 11945) to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution (14) providing for the printing of 16,500 copies of the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statue of Sequoyah, presented by the State of Oklahoma, etc., in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution (43) providing for the printing of 1,500 copies of the Journal of the Fifty-second National Encampment of the Grand Army of the Republic for the year 1918, etc., in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 11945. An act to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," was read twice by its title and referred to the Committee on Agriculture and Forestry.

STATUE OF SEQUOYAH.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was referred to the Committee on Printing:

House concurrent resolution 14.

Resolved by the House of Representatives (the Senate concurring). That there be printed and bound the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statue of Sequoyah, presented by the State of Oklahoma, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Oklahoma.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with the proceedings.

GRAND ARMY OF THE REPUBLIC.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was referred to the Committee on Printing:

House concurrent resolution 43.

Resolved by the House of Representatives (the Senate concurring). That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-second National Encampment of the Grand Army of the Republic for the year 1918, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

ADJOURNMENT.

Mr. HITCHCOCK. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 25, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 24 (legislative day of May 23), 1918.

APPOINTMENTS IN THE ARMY.

DENTAL CORPS.

To be first lieutenants.

Charles Jefferson Denholm, of Pennsylvania, from May 7, 1918.

Harry Holmes, of Georgia, from May 7, 1918.

Elmer Henry Nicklles, of Iowa, from May 8, 1918.

Harold Jensen, of Oregon, from May 8, 1918.

Edward William Blurock, of California, from May 9, 1918.

Daniel Sumner Lockwood, of Illinois, from May 9, 1918.
Thomas Winton Deyton, of North Carolina, from May 10, 1918.

James Barto Mann, of Texas, from May 10, 1918.

Avery Scott Hills, of California, from May 11, 1918.

George Mason Babbitt, of Illinois, from May 11, 1918.

Judge William Fowler, of Georgia, from May 12, 1918.

Francis Stone Adams, of New York, from May 12, 1918.

Archie Thomas McGuinness, of California, from May 13, 1918.

Carl Howard West, of Wyoming, from May 14, 1918.

Edwin Moore Kennedy, of Kansas, from May 15, 1918.

Merle W. Catterlin, of Illinois, from May 16, 1918.

Thomas Minyard Page, of Georgia, from May 17, 1918.

Clarence Pefferce Jackson, of Illinois, from May 18, 1918.

Chester Bumgardner Parkinson, of Illinois, from May 19, 1918.

Herbert Edwin Guthrie, of West Virginia, from May 20, 1918.

James Harold Keith, of Massachusetts, from May 21, 1918.

APPOINTMENTS BY PROMOTION IN THE ARMY.

CAVALRY ARM.

To be first lieutenants with rank from February 9, 1918.

Second Lieut. W. Dirk Van Ingen, Cavalry.

Second Lieut. Herbert V. Scanlan, Cavalry.

Second Lieut. Sigurd von Chirstierson, Cavalry.

Second Lieut. Kenneth O. Spinning, Cavalry.

Second Lieut. Curt E. Hansen, Cavalry.

Second Lieut. Vincent P. Ryan, Cavalry.

Second Lieut. Raymond C. Blatt, Cavalry.

Second Lieut. Clinton de Witt, Cavalry.

Second Lieut. Harold J. Adams, Cavalry.

Second Lieut. William B. Van Auken, Cavalry.

Second Lieut. Harold Kitson, Cavalry.

Second Lieut. John Boies, Cavalry.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 15th day of October, 1917:

Martin Donelson and

Myron C. Baker.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of January, 1918:

Elmer E. Curtis,

Dow H. Casto,

Charles W. O. Bunker,

Howard F. Lawrence,

Charles J. Holeman, and

Gordon D. Hale.

Passed Asst. Surg. Alexander B. Hayward to be a surgeon in the Navy with the rank of lieutenant commander from the 8th day of January, 1918.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of February, 1918:

Montgomery E. Higgins and

George W. Shepard.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 15th day of May, 1918:

Ernest W. Brown,

Dallas G. Sutton,

Lawrence M. Schmidt,

William Chambers,

Sankey Bacon,

Frank P. W. Hough,

Kent C. Melhorn,

Lee W. McGuire,

Joseph A. Biello,

George C. Rhoades,

Alfred J. Toulon, and

Harry H. Lane.

The following-named passed assistant paymasters to be paymasters in the Navy with the rank of lieutenant commander from the 1st day of July, 1917:

John J. Luchsinger, jr.,

Eugene H. Douglass,

Robert K. Van Mater,

William S. Zane,

James C. Hilton,

Ellsworth H. Van Patten,

Joseph E. McDonald, and

Everett G. Morsell.

Passed Asst. Paymaster Thomas P. Ballenger to be a paymaster in the Navy with the rank of lieutenant commander from the 7th day of August, 1917.

Passed Asst. Paymaster Frank T. Foxwell to be a paymaster in the Navy with the rank of lieutenant commander from the 10th day of January, 1918.

The following-named passed assistant paymasters to be paymasters in the Navy with the rank of lieutenant commander from the 15th day of May, 1918:

Richard H. Johnston,
Dallas B. Wainwright, jr.,
William H. Wilterdink,
George P. Shamer,
Omar D. Conger,
John F. O'Mara,
James P. Helm,
Frank Baldwin,
Patrick T. M. Lathrop,
Manning H. Philbrick,
Henry L. Beach,
John H. Knapp,
John L. Chatterton,
Fred E. McMillen, and
Maurice H. Karker.

Gunner Frederick G. Keyes to be a chief gunner in the Navy from the 15th day of February, 1918.

Machinist George W. Robbins to be a chief machinist in the Navy from the 17th day of January, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 24 (legislative day of May 23), 1918.

APPOINTMENT IN THE ARMY OF THE UNITED STATES, FOR THE PERIOD OF THE EXISTING EMERGENCY.

Maj. Gen. Peyton C. March, to be general.

APPOINTMENT, BY BREVET, IN THE ARMY.

Gen. Tasker H. Bliss to be general, by brevet.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Brig. Gen. John D. Barrette, National Army, to be brigadier general in the Regular Army.

TO BE CHIEF OF COAST ARTILLERY.

Brig. Gen. Frank W. Coe, National Army, to be Chief of Coast Artillery, with rank of major general.

PROVISIONAL APPOINTMENTS BY PROMOTION IN THE ARMY.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Arthur H. Besse,
Second Lieut. Charles W. White, and
Second Lieut. John R. Lindsey.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Oscar I. Gates,
First Lieut. Gerald E. Brower, and
First Lieut. William J. Jones.

To be first lieutenants.

Second Lieut. Edgar A. O'Hair,
Second Lieut. Stephen Mahon,
Second Lieut. Addison B. Green, and
Second Lieut. John R. Shepley.

COAST ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. George M. Holstein, jr.,
Second Lieut. Joseph G. Cole,
Second Lieut. Ward Rubendall,
Second Lieut. Clyde LeG. Walker, and
Second Lieut. Richard B. Gayle.

POSTMASTERS.

ILLINOIS.

Cora M. Davis, Bethany.

KANSAS.

James H. Riley, Winchester.

OKLAHOMA.

George M. Hagan, Stilwell.
George E. Baker, Gage.

WEST VIRGINIA.

George T. Buchanan, Wellsburg.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 24, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we thank Thee for that desire Thou hast placed in the heart of man which is ever moving him onward and upward toward a betterment of his condition, physically, mentally, morally, spiritually; for every honest, patriotic, philanthropic, religious endeavor in the heart, the home, society, and in the Nation, looking to that end; and we most earnestly pray that it may continue until we all come unto the measure of the stature of the fullness of Christ; and Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

PROTECTING INSECT-DESTROYING BIRDS.

Mr. POUL. Mr. Speaker, I ask unanimous consent to address the House for three minutes in order to make an announcement.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for three minutes in order to make an announcement. Is there objection?

There was no objection.

Mr. POUL. Mr. Speaker, the members of the Committee on Rules, as well as other Members of the House, have been receiving a great many letters concerning what is known as the "enabling act," intended to make effective the treaty between the Government of the United States and Canada for the purpose of protecting insect-destroying birds. On yesterday I think I received over 50 letters on the subject. I make it a rule to answer every letter received from a reputable person, and I thought it might save the time of the Committee on Rules and save other Members of the House some labor if the announcement were made that at a recent meeting of the Committee on Rules it was agreed that whenever the business of the House permits a special rule will be reported providing for the consideration of this measure and giving the House an opportunity to vote on it.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. POUL. Yes.

Mr. MONDELL. Does the gentleman know who is conducting the propaganda to which he refers?

Mr. POUL. I will say that a great many reputable organizations appear to be deeply interested in it.

Mr. MONDELL. It is like all of these propagandas. They undoubtedly originate at one source, and they send the requests to well-meaning but uninformed folks, and they pass it on.

Mr. POUL. I will say to the gentleman that perhaps 10 days ago some of the greatest bird specialists in the country, perhaps in the world, were down here, and I had quite an interesting conference with them; and I will say, speaking for myself, that I became convinced that it is a genuine conservation measure. Some of these gentlemen were totally disinterested, except from the standpoint of the public interest, and they gave me quite a good deal of interesting information that was entirely new to me. But my purpose in making this announcement was to save somebody possibly some work in answering these innumerable letters that are coming every day.

Mr. KINCHELOE. Mr. Speaker, will the gentleman yield?

Mr. POUL. I do.

Mr. KINCHELOE. My attention has been called to this measure quite a great deal in the last 18 months. As I understood it, at the last session of Congress, when this bill was up, there was a conflict between the Audubon Society and the various game wardens throughout the United States; but my understanding is now—and I get it from the game wardens of my States and from members of the Foreign Affairs Committee—that this agreement has been made, and that it is satisfactory to both sides, and that they are both in favor of it.

Mr. POUL. That is my information. I think that is true.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following title, in which the concurrence of the House of Representatives was requested:

S. 4554. An act for the sale of isolated tracts of the public domain in Minnesota; and

S. 4555. An act to validate certain public-land entries.

The message also announced that the Senate had disagreed to the amendment of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, had requested a con-

ference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WILLIAMS, Mr. SMITH of Georgia, and Mr. SMOOR as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes, in which the concurrence of the House of Representatives was requested.

RENT PROFITEERING IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, the conferees have agreed upon a report concerning Senate joint resolution 152, known as the Saulsbury rent resolution. I desire to ask unanimous consent for its present consideration.

The SPEAKER. Has it been printed?

Mr. JOHNSON of Kentucky. It has not.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the conference report on the Saulsbury profiteering resolution, the rule to print to the contrary notwithstanding. Is there objection?

Mr. GILLET. I would like to ask the gentleman why this should not go through the regular custom and be printed?

Mr. JOHNSON of Kentucky. The reason for the request is that a great many people have leases that will expire on the last day of this month, and as the resolution protects those who have leases it is desired that the resolution should become law by that time.

Mr. GILLET. It would make a difference of one day. It seems to me it is a matter of sufficient importance for the House to know if there has been any special change made in it.

Mr. JOHNSON of Kentucky. The only material change is that the conferees have agreed to an extension of the time until the war is over. When the Senate passed the resolution it provided that its operation should cease at the expiration of the present session of Congress. The House amended it, extending the time until one year after the war shall be over. The conferees have eliminated the provision as to the one year after the war is over.

Mr. GILLET. Is that the only change?

Mr. JOHNSON of Kentucky. There is one change as to verbiage only.

Mr. GILLET. Can the gentleman explain what that change is?

Mr. JOHNSON of Kentucky. On page 1, line 6, of the engrossed bill, after the word "agreement," we strike out the words "or written" and insert in lieu thereof the word "of," so that it would read "agreement of lease."

Mr. GILLET. Leaving out the word "written"?

Mr. JOHNSON of Kentucky. Yes.

Mr. GILLET. Is that all the differences there were?

Mr. JOHNSON of Kentucky. Yes.

Mr. GILLET. I had a conversation with the gentleman, as he will remember. Was anything done about that?

Mr. JOHNSON of Kentucky. I will say to the gentleman that I took up the matter about which he and I talked, and the Senate conferees opposed the injection of any new matter whatever into it.

Mr. LONGWORTH. As I understand it, as to any lease which is now in existence the lessee may continue until the war is over to pay the rent under the lease, notwithstanding the expiration, until the proclamation is made of the cessation of the war.

Mr. JOHNSON of Kentucky. That is it. There is a provision that was inserted by the conferees that it should continue until the war was over, unless in the meantime Congress should pass a law directing otherwise. That would follow anyhow, and I do not think it is material.

Mr. GILLET. If those are the only changes, I have personally no desire to see them in print. I shall have no objection.

Mr. JOHNSON of Kentucky. Those are the only changes.

The SPEAKER. Is there objection?

Mr. BENJAMIN L. FAIRCHILD. I object, Mr. Speaker.

The SPEAKER. The gentleman from New York objects.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, objection having been made, I present the conference report to be printed in the Record.

The SPEAKER. It will be printed under the rule.

INSURANCE.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, and agree to the conference asked for by the Senate. The House amended the Senate bill,

and the Senate disagreed to the House amendment and asked for a conference.

Mr. MADDEN. Does not the gentleman want to insist on the House amendments?

The SPEAKER. The Chair rather thinks so.

Mr. MADDEN. That ought to be included in the motion.

Mr. SIMS. Of course my motion is to insist on the House amendment and agree to the conference asked.

Mr. MADDEN. Unless the gentleman does that there is no need for a conference.

The SPEAKER. The gentleman from Tennessee asks to take this bill from the Speaker's table, insist on the House amendments to the Senate bill, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SIMS, Mr. RAYBURN, and Mr. ESCH.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I desire to submit a request for unanimous consent.

The SPEAKER. The gentleman will state it.

Mr. RUSSELL. Under the rules this is pension day. I understand the regular order has been displaced by a special rule. Therefore I ask unanimous consent that on the completion of the oil-leasing bill now before the House the pension bills on the Private Calendar be in order.

The SPEAKER. The gentleman from Missouri asks unanimous consent that at the conclusion of the proceedings on the oil bill various pension bills on the Private Calendar be taken up for consideration. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, what would be the objection to the gentleman waiting until next Friday? We have several pension conferences in progress, and I understand this is likely to be the last omnibus pension bill at this session, probably.

Mr. RUSSELL. Next Friday will not be pension day. It will be two weeks from to-day before there will be another pension day, and that will not leave very much time for the Senate to pass the bill and for the bill to get through conference, provided we should adjourn here within the next six weeks.

Mr. MADDEN. What was that the gentleman said about adjournment?

Mr. RUSSELL. I said in case we should adjourn in six weeks, which some people think we may do.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

JOURNAL OF THE GRAND ARMY OF THE REPUBLIC.

Mr. BARNHART. Mr. Speaker, I rise to present a privileged resolution, which I would like to have considered.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House concurrent resolution 43 (H. Rept. No. 599).

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-second National Encampment of the Grand Army of the Republic for the year 1918, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. BARNHART. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I understand this resolution is to authorize and direct the printing of the proceedings of the Grand Army of the Republic encampment?

Mr. BARNHART. Yes.

Mr. GARRETT of Tennessee. Has it been the custom to print those proceedings in past years?

Mr. BARNHART. It has.

Mr. GARRETT of Tennessee. It is an annual proceeding, is it not?

Mr. BARNHART. Yes. It really ought to be provided for in the appropriation bill, the same as the printing of the proceedings of the annual meeting of the Daughters of the American Revolution is provided for, but the Committee on Appropriations have never seen fit to carry it, and so each year we are compelled to introduce it here and put it through.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

PENSIONS.

Mr. WALSH. Mr. Speaker, if it is in order, I desire to withdraw the objection I interposed to the request of the gentleman from Missouri [Mr. RUSSELL].

The SPEAKER. The gentleman withdraws his objection. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Missouri whether or not this is the last pension bill he proposes to offer from his committee at this session of Congress?

Mr. RUSSELL. That is my understanding. The chairman of the committee [Mr. SHERWOOD] is here, and it is not the purpose of the committee to report another omnibus pension bill at this session.

Mr. GARNER. At this session?

Mr. RUSSELL. The chairman tells me that is his understanding, and it is my understanding.

Mr. STEENERSON. Why should the consent be limited to pension bills? Why not include the whole Private Calendar?

Mr. RUSSELL. This is pension day under the rule, so I just asked to preserve the regular order under the rule.

Mr. STEENERSON. When we get through with the pension bills there might be some other private bills—

Mr. RUSSELL. That is a matter for anybody interested to suggest. This is pension day, and I only wanted to preserve the order for pensions.

Mr. STEENERSON. I suggest that it include the whole Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. MONDELL. Mr. Speaker, will the gentleman from Missouri yield to me to make an inquiry of the gentleman from Texas?

Mr. RUSSELL. I yield for a question.

Mr. MONDELL. The gentleman from Texas [Mr. GARNER] desires to know whether this is the last pension bill to be reported at this session of Congress. Does the gentleman from Texas have any information as to how long a period his suggestion is likely to cover?

Mr. GARNER. I have no definite information at this moment.

Mr. MONDELL. As the session may run until the snow flies—

Mr. MADDEN. We will have time to cool off in that event.

Mr. MONDELL. If certain legislation that has been suggested is brought in, does not the gentleman's request cover a good deal of time?

Mr. GARNER. I merely wanted to know whether there was to be another bill this session, and I was trying to get that information.

Mr. SHERWOOD. Mr. Speaker, I have had notice from the Senate that they would take up no pension legislation after the last of May. This is the last of May, and if another bill should be reported it would not be passed, and that ought to settle that question.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, is the Senate running this body and this Pension Committee? Have we got to follow edicts that are passed down by some one else in that body?

Mr. SHERWOOD. Not at all.

Mr. WALSH. Then I do not think the gentleman, as chairman of that great committee—

Mr. SHERWOOD. If we were to pass any more bills, it would be a useless task, for they would be killed in the Senate.

SEVERAL MEMBERS. Regular order!

The SPEAKER. The regular order is demanded. Is there objection to the request of the gentleman from Missouri?

Mr. ALMON. Mr. Speaker, reserving the right to object—

The SPEAKER. The regular order is demanded. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

PROCEEDINGS AT UNVEILING OF STATUE OF SEQUOYAH.

Mr. BARNHART. Mr. Speaker, I submit herewith a privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House concurrent resolution 14 (H. Rept. No. 598).

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statue of Sequoyah, presented by the State of Oklahoma, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Oklahoma. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with the proceedings.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. BARNHART. Yes.

Mr. WALSH. What will be the cost of this edition?

Mr. BARNHART. Five thousand dollars.

Mr. WALSH. I would like to ask the gentleman if he does not think, in view of the great demand upon the Treasury for matters intimately related to our war program, that measures such as this might properly be deferred until a little later? It would be just as interesting to read when the war is over, and these are matters which I think—

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on the resolution.

Mr. WALSH (continuing). Might properly be delayed. Has the gentleman given any consideration to the matter of deferring expenditures such as this?

Mr. BARNHART. Oh, yes; the gentleman has given much consideration to it. The unveiling of this statue occurred on June 5 last, almost a year ago. It is customary under these conditions to print the proceedings. Sequoyah was a celebrated Indian educator and author of the Indian-language dictionary.

Mr. WALSH. Yes; but he is not helping much to win this war.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. BARNHART. Yes.

Mr. MADDEN. Sequoyah is dead, is he not?

Mr. BARNHART. That is the general understanding.

Mr. MADDEN. And we are going to spend \$5,000 to perpetuate his memory.

Mr. BARNHART. Oh, no. We have already expended more than that to perpetuate his memory. This is printing the report of how it was done.

Mr. MADDEN. Oh, telling the story of the perpetuation. A short time ago we had a special committee appointed to investigate the tragedy that occurred at East St. Louis, Ill. In response to a question I asked of the gentleman from Indiana [Mr. BARNHART] whether or not the evidence taken in that investigation would be permitted to be published, he said he would not favor, as chairman of the committee, the passage of a resolution asking for the publication of that evidence, which, I think, is of vastly more importance than the story of the life of Sequoyah, because it deals with present-day conditions, about which we ought to be able to get information that will enable us to apply a remedy. The victims at East St. Louis are dead, but still there are a great many people in the United States who ought to be told the facts in the case, so that the proper authorities may be in possession of information that will enable the enactment of laws or the execution of laws already enacted to prevent, if possible, a recurrence of conditions such as those to investigate which the special committee was appointed. I want the story told, and I would ask the gentleman whether or not he still adheres to his position not to publish the evidence in the case of the East St. Louis riots.

Mr. BARNHART. That would depend upon the extent of the evidence. If it is as voluminous as some of the investigations, costing as much as \$65,000 or \$70,000, I think I would not be in favor of publishing it.

Mr. MADDEN. I understand the investigation as to what the cost would be indicates that it would amount to about \$5,000. Suppose the gentleman could be furnished with information that would indicate that it would not cost more than \$5,000, would he still object to the publication of the evidence?

Mr. BARNHART. I do not think the committee would object to submitting the matter to the House, but my recollection is that when I asked the gentleman if it would cost \$50,000 he said he did not know, and I said then if it would that I should not favor it.

Mr. MADDEN. I do not recall the gentleman's asking any such question, but assuming he did, I did ask him whether he would be in favor of reporting the resolution, and he said he would not, he would be opposed to this resolution and would not report it from his committee. Does the gentleman recollect that?

Mr. BARNHART. My recollection now is that I did say something of the kind to the gentleman from Illinois, but I do not specifically recall. There was something said in the conversation about the enormous cost of this publication, as the committee had been there for months taking evidence, and it would probably be as voluminous as the evidence of the Industrial Relations Committee report, which was so large that it cost the Government something like \$100,000 to print it, and scarcely no one took it out, and much of it is lying about the storage rooms, to the credit of Members, unused.

Mr. MADDEN. If I may be permitted one further suggestion—

Mr. BARNHART. And I said further to the gentleman that the committee as such had had no requests for these reports, nothing of the kind had come to the committee, and that until something of that kind should come the chairman of the com-

mittee would not be in favor of reporting out a resolution of that kind. On the other hand, the committee is besieged every day for this publication.

Mr. MADDEN. Well, the gentleman will not deny I have submitted to him as to what his attitude would be more than once.

Mr. BARNHART. Oh, certainly not; for the gentleman from Illinois is a stickler for that publication. He is earnest about it and wants the publication; there is no question in the minds of the committee as to that; but nobody else has said anything about it.

Mr. MADDEN. Except the gentleman from Indiana, who declared he would not favor the publication.

Mr. BARNHART. Well, substantially so; yes—

Mr. WALSH. Will the gentleman yield to me for five minutes to oppose this resolution?

Mr. BARNHART. Yes.

The SPEAKER. The Chair will state to the gentleman from Indiana and the gentleman from Massachusetts both that the gentleman from Wisconsin said he wanted to make a point of order.

Mr. STAFFORD. I reserved a point of order.

The SPEAKER. Better have the point of order disposed of before wasting a lot of time in debate.

Mr. STAFFORD. Before I press the point of order, Mr. Speaker, I wish to direct an inquiry directly as to the resolution under inquiry to determine whether I desire to press it or not. I wish to inquire of the chairman of the committee whether in such resolutions providing for printing of memorials it has been customary to allot a certain number to the Representatives and Senators of the State which donates the memorial?

Mr. BARNHART. Always so in reference to biographies of deceased Members and in the proceedings in Statuary Hall. Each State is entitled to two statues in Statuary Hall, and at the unveiling of those statues it has always been customary to have residents of the State present and participate in the proceedings, and inasmuch as these statues are particularly interesting to people of the States which place them, it has always been customary—I do not know whether it is the rule or not, but it has been the custom—to allot to the Members from those States a larger number of these publications than to those from other States.

Mr. STAFFORD. Is the number prescribed in this resolution the customary number that is usually accorded to Members from the States?

Mr. BARNHART. It is the same proportion that is always allotted.

The SPEAKER. What is the gentleman's point of order?

Mr. STAFFORD. My point of order was going to be that it is not privileged under the rules of the House.

The SPEAKER. Oh, every time they dedicate one of these things—

Mr. STAFFORD. Mr. Speaker, I do not intend to press the point of order, but I insist the point of order would be good. When a resolution of this character is presented to the House wherever the resolution provides certain copies of the memorial for the special use of certain Members of the House and Senate, it does not come within the rule of the House making a resolution from the Committee on Printing privileged, limits resolutions to matters referred to them for printing for the use of the House or of the two Houses. I do not intend to press the point of order and have suggested it, and I am simply directing the attention of the Chair to the fact that if this were a privileged resolution, then resolutions brought in by the Committee on Printing authorizing printing of documents for the use of one or all Members of a delegation would be privileged. The mere fact that this singles out 1,500 copies for the use of Members from the State of Oklahoma takes away its privilege. I do not intend to press the point of order. I rose to inquire what the practice was in such instances.

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. WALSH. Mr. Speaker—

Mr. FERRIS. Mr. Speaker—

Mr. BARNHART. I have already yielded five minutes to the gentleman from Massachusetts.

The SPEAKER. That is exactly what the Chair was doing.

Mr. FERRIS. I thought the gentleman was being recognized for an hour.

The SPEAKER. Oh, no; the Chair was simply carrying out the wishes of the gentleman from Indiana, who has charge of this resolution.

Mr. WALSH. Mr. Speaker, I do not intend to renew the point of order, but I am opposed to the passage of this resolution at this particular time, and I submit that the time has

come for the House to indicate a little spirit of economy in the transaction of public business. We are just running wild here with appropriations and propositions which have nothing to do with war emergency. Now, I know Sequoyah was a celebrated chief; he invented the Cherokee alphabet, and we ought to do him honor and we have done him honor. We have put his statue out yonder in Statuary Hall, which is sometimes called the Chamber of Horrors, and I think that if this appropriation was to do away with that place, rather than to print proceedings whereby we are seeking to perpetuate it and add to its gloom, it might appeal to the conscience of Members of this House. We are piling up appropriations here by the millions and billions, and we are, I think, very likely to be called upon to pass during this session upon another revenue bill to increase the taxes to be taken from the people of this country, and I believe we ought to put these matters off until the war is over. We can print these books with copper plates then and distribute them to the good people of Oklahoma, and it will be just as interesting reading as it will be to have them distributed this summer and this fall, and they will be just as useful then. This is not a pressing emergency, for the exercises are already a year old, and I submit that we ought to defer this appropriation. It is only \$5,000. Of course, it does not amount to very much, but it will be used as a precedent and as an argument for passing other minor appropriations probably before this session adjourns, and I submit we ought to indicate here that we are going to confine the appropriations of funds out of the Public Treasury as closely as we can to matters relating to the prosecution of this war. Therefore I am opposed to this resolution. I am not opposed to doing honor to any distinguished representative of the 48 States in the Union nor to publishing the proceedings where honor is done, and seeing to it that the publications are distributed to the people of those States and that the accounts are perpetuated in the Record of the Congress and in the records of the United States Government, but this is a matter that can be deferred just as well as not. It ought not to be urged. We can save \$5,000, we can save the time and trouble of the Government Printing Office, and we can utilize the copper that will be required to make these plates and the paper that will be required in publishing the books for other matters that are more intimately associated with the prosecution of the war program.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. BARNHART. Division, Mr. Chairman.

The House divided; and there were—ayes 46, yeas 39.

So the resolution was agreed to.

ITALY.

The SPEAKER. Under the special order of the House the gentleman from New York [Mr. LONDON] is entitled to 15 minutes.

Mr. LONDON. Mr. Speaker, this is the third anniversary of the entry of Italy into the European war. I intend to say a few words about Italy's contribution to the progress of the world. The magnitude of the subject appalls me.

It is not generally appreciated to what extent Italy has been the liberator of thought in the world. The birth of modern Europe, that most glorious period known as the Renaissance, is inseparable from the history of Italy. Mankind had been under an impenetrable shroud of darkness and superstition and ignorance for a thousand years. The intellect of men was being wasted in casuistry, in the realm of the unreal. Nature, man, life, and all the things that enrich life were being scorned. It was Italy that established the first European university. It was Italy that stirred the minds of the European world to action in those spheres of human endeavor where man reaches the divine, where he rises above national limits and to the very heights of the universal. It was she that revealed the treasures of ancient learning. The products of Roman, Greek, Hebrew, and oriental civilizations were put by her at the disposal of all.

Greatness and bigness are not the same thing. The truth is that the highest stages of civilization were reached by peoples when they were small in size. The history of ancient Judea, of Greece, and in modern times of Italy, of England, of the Scandinavian countries, tells the same story. The most glorious stage of English literature was reached when England had a population less than some of our larger States of the Union. And while every nation and every people has enough talent and enough genius to give expression to the distinctive qualities of its own people, it is only to the extent to which a nation produces the universal genius, the man who speaks beyond the boundaries of his own people and to the whole world, that a

nation becomes truly great. And in that respect Italy has been among the greatest of nations. Her geniuses have spread their radiance over the entire world. It is to her universities that the youth of France and Germany and Spain and England rushed for inspiration. It was Italian education and Italian learning that gave food to the intellect of the world. She liberated the human mind from the enthrallment of ages. Her people have not sought dominion over other nations and over other lands. It is in the dominion of intellect, of art, of science, of sculpture, and of music that mankind has been cheerfully paying tribute to her.

Because of her geographical situation she early became the educator of the world in commerce. Bills of exchange and modern banks are the product of the intellect and genius of Italy. Centuries ago Italian statesmen advocated the necessity of maintaining friendly intercourse among the nations of the world and disputed the theory that the distress of one nation leads to the prosperity of another.

Italy's treasures are the world's treasures, and the whole world is interested in perpetuating an Italy which should be given free scope to develop her genius.

Unfortunately for mankind it was but during short intervals that the soil of Italy was free from invasion by greater military powers. Even to-day she is fighting for her existence; she is fighting for her life, and all liberty-loving men throughout the world are ready to pledge themselves to aid her in repelling the invader from her territory.

It is to Italy, the liberator of human thought; Italy, the cradle of modern civilization; it is to this Italy, seeking to preserve her own territory and to merge all her people into one great power, which should be a servant of humanity and not an oppressor; it is to this Italy that I am anxious to send a message of encouragement on this momentous day. [Applause.]

EXPLORATION FOR COAL, PHOSPHATE, OIL, GAS, AND SODIUM.

Mr. FERRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2812.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2812, with Mr. DEWALT in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

An act (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. FERRIS. Mr. Chairman, I send to the Clerk's desk a joint letter from the Acting Secretary of the Interior and the Secretary of Agriculture, suggesting a couple of amendments to section 1 of this bill.

The CHAIRMAN. The Clerk will read it.

The Clerk read as follows:

MAY 21, 1918.

HON. SCOTT FERRIS,
House of Representatives.

DEAR MR. FERRIS: As a result of conferences between members of the Interior Department and Agricultural Department, it appears necessary to recommend that S. 2812, which has been reported out by your committee be amended in two particulars in order to make it clear and consistently workable.

As this bill passed the Senate national-forest lands were excepted from its operation. As reported by your committee, however, national-forest lands and lands in the Grand Canyon and Mount Olympus National Monuments are specifically mentioned as being available for sale or lease of coal. The Department of Agriculture has not heretofore reported on this measure, and the fact that it disposes of national-forest land was inadvertently overlooked in the report of the Department of the Interior. For very many excellent reasons it is considered decidedly unwise to make the sale provision apply to national-forest lands or to lands in the Grand Canyon or Mount Olympus National Monuments. It is therefore recommended that section 2 of the bill, as reported by your committee, be amended by adding to it the following proviso:

"Provided, That this section shall not apply to lands within [national forests or within] the Grand Canyon or Mount Olympus National Monuments."

The foregoing amendment would limit the operation of the act so far as it concerns the reserved lands mentioned in the leasing provisions. Since the national forests and the two national monuments mentioned are administered by the Department of Agriculture, while the administration of the leasing provisions will be under the Department of the Interior, it is considered desirable to have this measure definitely define the jurisdiction of the two departments. This may be accomplished by adding to section 21, page 48, the following:

"Provided further, That before any lease shall be granted under this act within a national forest or the Grand Canyon National Monument or Mount Olympus National Monument, the lessee shall execute such general stipulation for the protection of national-forest interests or national-monument interests as the Secretary of Agriculture may require."

The foregoing proviso is consistent with the present procedure under existing laws regarding rights of way or easements granted by the De-

partment of the Interior over lands administered by the Department of Agriculture. The adoption of the two foregoing amendments is recommended.

Very sincerely, yours,

ALEXANDER S. VOGELSONG,
Acting Secretary of the Interior.
D. F. HOUSTON,
Secretary of Agriculture.

Mr. FERRIS. Mr. Chairman, I observe that the suggestion is made that these two amendments go in at the beginning of section 2, so I withhold the formal offering of the amendments until section 2 is read. I think I shall offer the first one with slight modifications, although we will leave the latter precisely as it is at the present time.

Mr. MONDELL. Mr. Chairman, what is before the House? Has the first section been read?

The CHAIRMAN. Yes.

Mr. RAKER. Mr. Chairman, I offer an amendment. The gentleman from Colorado [Mr. TAYLOR] should have offered this. It is an oversight in the printing. It is the gentleman's amendment offered in the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 28, line 7, after the word "oil" insert the words "oil shale," and in line 17, same page, after the word "oil," insert the words "oil shale."

Mr. TAYLOR of Colorado. We will accept that amendment.

Mr. RAKER. I yield to the gentleman from Colorado.

Mr. TAYLOR of Colorado. I will state that, representing as I do the State and county having more oil shale than all the other States combined, we accept that amendment. It is there already.

Mr. RAKER. It belongs there; and after the committee adopted section 28, of course it should go in there.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Wyoming?

Mr. RAKER. In a moment. The gentleman from Utah [Mr. MAYS] also states in the committee and elsewhere that he represents a territory that has more oil shale than all the other territory in the world, so that, of course, with these two gentlemen representing that shale I know we are going to get good results out of it.

Mr. MONDELL. I suppose the gentleman under a fair interpretation would agree that the law would apply to oil shale without this amendment?

Mr. RAKER. It is very doubtful. The experts who appeared before the committee thought that it would not, notwithstanding the keen mind of my friend from Wyoming. All those who are interested in this bill should give it consideration. The gentleman from Wyoming having been so busily engaged in the Committee on Appropriations, we deemed it advisable to include this specifically in the bill.

Now, Mr. Chairman and gentlemen of the committee, the House in the Sixty-third Congress reported what is known as H. R. 16136, providing for the leasing of coal lands, oil, gas, phosphates, sodium, and so forth. The bill passed the House on September 21, 1914, and went to the Senate. During the Sixty-fourth Congress the Committee on the Public Lands reported out the bill H. R. 406. That bill passed the House and went to the Senate. During the early days of the Sixty-fifth Congress the Committee on the Public Lands again considered this legislation in regard to leasing, and reported out and placed upon the calendar the bill H. R. 3232. After that time and during the present session of the present Congress the Senate passed the bill S. 2812, which is the bill now before the House, the entire provisions—all after the enacting clause—having been eliminated, and to some extent, or, I might say, in the main, the provisions of the prior bills referred to constitute the amendment and the bill now before the House.

There are several important changes, one relating to permits. Having a lease, the party obtains a prospector's permit; instead of getting a title to the land, he gets a lease upon that land and receives no patent to any land.

We provided in this bill for the disposition of oil shale, it being a very extensive rock in certain Western States, notably, Colorado and Utah, and some in Wyoming, as the record shows; and we made more liberal provision for its handling than for the other minerals named in the bill. We also provided for Alaska in regard to oil, the coal lands having been disposed of in Alaska by the coal-leasing bill some two years or more ago.

Then another important feature that has been added is the repealing clause provided for in section 28 of the bill, which protects those who have initiated claims upon the public domain, whether it is in reserved or unreserved lands. Of course the enactment of this bill repeals, unless there is a saving clause as to those who have claims, the law in regard to oil and gas

lands. As to coal lands, it is changed by adding a leasing provision, leaving the sale provision as it is now upon the statute books.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes. I did not take any time in general debate.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for 10 minutes more. Is there objection?

There was no objection.

Mr. RAKER. The provision in regard to coal, I want simply to say, leaves the law remaining as it is. A private individual can get 160 acres upon payment as provided in the statute. An association can get 320 acres upon paying the maximum and minimum price, and an association that has developed the claim and expended \$5,000 can get 640 acres under the present law, under appraisal as provided by statute and regulated by the various departments.

This bill permits the leasing of all coal lands within or without the national forests and within the national monuments named, provided there are no prior applicants for the land as coal lands. There has been a good deal said about the law being all wrong and no developments under it, but there is more myth in that than anything else. The public have come to the conclusion that they desire a leasing bill, to dispose of the remaining public domain that contains coal by lease rather than by patent and the surrender of the title of the Government. That is done in a way that protects the lessee and the Government, and permits larger developments, by virtue of allowing a lease to the extent of 2,560 acres, under a royalty that is reasonable and also under reasonable conditions in regard to the working of the mine and the handling of the mine, conditions which prevent monopoly and take care of labor. In other words, the committee believe that the enactment of this law will, to a great extent, develop the coal resources of this country that are so great, and will at the same time supply coal for the country at a time when it is so badly needed.

Conditions are amply provided for in the bill, so that the surface entry may be used for homesteading and otherwise; so, as a matter of fact, we give the highest development to the land that can be given.

The next provision originally in the bill was in regard to potassium. That has been stricken out in the Senate bill and in the House bill, because by reason of an emergency the House passed the act approved October 2, 1917, providing for the exploration and mining of potassium under lease. So, as a matter of fact, we have simply coal, gas, phosphate, oil, and oil shale to provide for in this bill.

The oil provisions are intended to cover the lands in which there is oil or gas. As a matter of fact, from the testimony before the committee, and as a condition existing, practically all the oil lands have been withdrawn and are now within reserves, and are of two classes, namely, those under general withdrawals and those under naval withdrawals known as naval reserves 1, 2, and 3.

The bill takes care of those in the general withdrawals by giving some semblance of relief. It also attempts to provide for those in the Naval Reserve, because of the emergency, and because of the equity, and because of the justice, and practically but one reserve is affected, Reserve No. 2. The question as to remedial legislation that should be provided for those who have gone upon the public domain and have complied with the law, so far as making their application is concerned, has been held up to a great extent. What I say now refers to those who have made their applications, marked their claims, recorded their notice, and proceeded to develop, and in the naval as well as other reserves have actually discovered oil in paying quantities.

Criticism has been made as regards the placer-mining laws, as though the pioneers of the West were not familiar with the law or the application of its use. But, as a matter of fact, no one yet has been able to say that the lode and placer-mining law has not been beneficial to this country; that it has not assisted in developing the State wherein it was applicable and wherein the minerals existed. But a new mineral was discovered, so far as our public lands were concerned, in the way of oil. In order to get a valid claim, out of which even the Government could not defeat you under the placer-mining law, you must have discovered oil. The minerals are discovered by going and breaking a piece of rock off of the ledge and analyzing it, or by going upon the ground and digging a hole, taking out some of the earth, and washing it out in a pan or a horn or any other contrivance with which you can separate the dirt from the precious

metal. Then if you posted your notice, put up your stakes, recorded your notice, and then recorded this discovery you got a valid claim provided you did \$100 assessment work per year for five years. Then if you applied for a patent you would receive it. But in regard to oil, a man has to expend at least \$10,000 before he can discover oil. That is the least amount, and the expenditure may run anywhere from \$10,000 up to \$500,000. Many of these wells were bored, thousands of dollars were expended in the development. The testimony in one case showed that \$450,000 had been expended upon one claim, and they had not even then discovered oil, although they believed they would. But not having discovered it in paying quantity, a reserve was thrown around the land, because the party had not complied with the provisions of the law as to discovering oil in paying quantities, and it was claimed that the Government could take his title from him. Congress came in and relieved those parties, and passed an act which did relieve quite a number.

It gave relief in case of transfers from the original locators down to the man who actually developed. It then passed a further act permitting joint development, so that the best results could be obtained. The whole trouble was evident, because the man had a right to the possession of his claim. One man could get 20 acres; eight men could get 160 acres. They took various locations. They had to expend \$100 each year upon the claims, and in addition to that, unless they actually made a discovery, they would lose their claim and no benefit would come from it. The grasper, the man who sits around the town and does nothing, saw the development going on. If a man made a failure, he had no interest. If he made a success of it, of course, then it was his effort to deprive that man of his claim. These practices went on from month to month and from year to year, until the Government took it up in the way of reserves, reserving those particular places where men through their knowledge, skill, ingenuity, and expenditure of millions of dollars determined, by geological examination after the oil had been actually discovered, that there was oil there; and then the reserves were made, the Government holding that the man had not before he made his application actually discovered oil in paying quantities. His claim was invalid, although Congress by supplemental remedial legislation had properly provided for that.

So the question is, What proper relief should be given to those who have given their time, their money, their expenditure in developing this country?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more, and then I shall not take up any further time until we get to another section.

Mr. TAYLOR of Colorado. Mr. Chairman, I would be very glad to grant that upon that promise.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, the committee carefully considered this matter, and I want to say frankly now that this report on this particular relief provision is not the judgment of the committee. It is a condition that confronts us and not a theory, however, and it will be submitted to the various departments to see whether the conferees can not come back and present something to the House on that one matter that will bring real relief. So far as the reservation of Naval Reserve No. 2 is concerned, that land, owned by the Southern Pacific and other individuals, land claimed by active claimants, if Members could see that they would see that it is checkerboarded with holes, and to take the land that these people claim would practically be a confiscation of their property and a turning of it over to those who own the private lands, as they would drain the land of the oil that is in it. So far as the Navy using the oil is concerned, it can not use it at the present time and may not for 50 years. While we ought to do all we can to conserve our resources, yet the shortage of oil in all of the Western States because of railroad transportation and the general development, in addition to that which is demanded by the war industries, is such that we should take this reservoir of oil, and the wells in it should be used to the highest capacity, and there never was such a time in the history of this country when it is demanding every ounce of oil in its lands as it does to-day, when, instead of reserving and conserving, we ought to develop it and develop every industry to the highest point of efficiency.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. SNYDER. I would like to ask the gentleman, assuming this bill becomes a law, will it increase the oil we now use known as fuel oil?

Mr. RAKER. Of course, if the President finds in his discretion that it is to the public interest and the provisions of the bill are enacted as they now stand, and these men are then permitted to bore more wells, yes; but the real thing ought to be to charge a royalty against these men who have expended their money and given their time, give them a reasonable part of the land, and let them go ahead. In other words, let them use wells that are bored and drilled to the highest capacity, drill all of the wells they can, and get more oil, to the end that our industries may be kept up and the wheels of progress may go around more rapidly, and that nothing may be retarded during this critical period.

The CHAIRMAN. The time of the gentleman from California has again expired. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOSS. Mr. Chairman, I ask unanimous consent to extend my remarks on the naval appropriation bill, which comes up tomorrow morning.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks on the naval appropriation bill. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 2. That classified coal lands or deposits of coal belonging to the United States, exclusive of those in Alaska, may, unless an offering, an application for offering, or an application for lease is pending hereunder, be acquired in accordance with the provisions of sections 2347 to 2352, inclusive, of the United States Revised Statutes, and acts amendatory thereof or supplemental thereto, or such lands or deposits may be leased, as hereinafter provided: *Provided*, That the right to purchase under this section is hereby expressly limited to persons qualified to acquire coal lands under section 2347 of said Revised Statutes. The survey of unsurveyed coal lands, for the purposes of this section, may be procured under sections 2401, 2402, and 2403, Revised Statutes, as amended by act of August 20, 1894.

Mr. ANDERSON. Mr. Chairman, I reserve the point of order on the section.

Mr. FERRIS. Mr. Chairman, it is not subject to the point of order. Let us have a ruling upon it.

Mr. ANDERSON. Mr. Chairman, if the gentleman wants me to make the point of order, I shall do it, and I desire to be heard upon it.

The CHAIRMAN. The gentleman will proceed with the point of order.

Mr. ANDERSON. Mr. Chairman, this section as now drawn authorizes the appropriation and sale of lands within the national forests, within the Grand Canyon and the Mount Olympus National Monuments. The jurisdiction of the Committee on the Public Lands is confined to the reporting of bills relating to public lands. The jurisdiction of legislation relating to the national forests and the national monuments has always been in the Committee on Agriculture.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. When I get a little further on.

Mr. MONDELL. Will the gentleman submit, for the benefit of the Chair, his authorities on that particular proposition?

Mr. ANDERSON. The Committee on Agriculture has always appropriated for and has always legislated in respect to lands in the national forests.

Mr. MONDELL. On the contrary, if the gentleman will permit, the Committee on the Public Lands has full jurisdiction with regard to all of the public lands of the United States, reserved and unreserved, so far as their disposition is concerned, and the Committee on Agriculture and the Agricultural Department have only certain limited jurisdiction with regard to administration.

Mr. ANDERSON. The gentleman is proposing that proposition and, of course, will sustain it if he can. I have a contrary opinion about it. However that may be, the fact still remains that the Committee on the Public Lands can not report a bill covering subject matter that has not been referred to it.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I will ask the gentleman to permit me to proceed for a moment. As I understand this bill, and as I am informed by gentlemen in both the Agriculture Department and the Department of the Interior, the Senate bill did not relate to the disposal of lands in the national forests or in these two national monuments. The Committee on the Public Lands is considering and has considered only the Senate bill, and that is the only bill that has been referred to it. That bill did not contain a provision for the disposal of lands in the national forests.

Therefore there was no bill before the Committee on the Public Lands proposing or authorizing an appropriation and sale of lands in the national forests, and the rule is well established that where a bill covering a subject has not been referred to the committee the committee has no jurisdiction to report a bill covering that subject.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. ELSTON. Does the gentleman know that the chairman of the committee has submitted two amendments proposing to strike from the operation of this bill the territory comprised in the national forests and the Grand Canyon and the Mount Olympus National Monuments?

Mr. ANDERSON. I wanted to reserve the point of order in order to get an explanation from the chairman of the committee as to what he intended to do, but the chairman of the committee insisted upon the point of order being made, and I made it.

Mr. ELSTON. I suggest to the gentleman—

Mr. MONDELL. Mr. Chairman, I would like to be heard on the point of order.

Mr. FERRIS. It is not subject to the point of order for very well-known reasons.

Mr. MONDELL. Mr. Chairman, the point of order is that the Committee on the Public Lands has no jurisdiction over lands in forest reserves and therefore can not legislate touching those lands. The exact contrary is the case. The Committee on the Public Lands has complete jurisdiction over all lands in the United States, including lands in forest reserves and in national monuments, and I will state for the Chair's information, if he is not fully informed on that subject, it is a fact that under the law the Committee on the Public Lands could bring in a bill abolishing all forest reserves; the forest reserves can not be enlarged except by a bill reported out of the Committee on the Public Lands. That is specifically provided in statute law. Not only that, but the Committee on the Public Lands continually legislates touching lands in forest reserves. Not very long ago it passed a bill providing for homesteads in forest reserves, and up to this good hour I have never heard anyone suggest that the jurisdiction of the Committee on the Public Lands is not complete over lands in forest reserves. If the Chair cares to go into the matter he will find the law provides that forest reserves shall not be enlarged, except by act of Congress, by bills reported out of the Committee on the Public Lands. I cite him to the forest-homestead bill reported out of the Committee on the Public Lands. All of the legislation that can be had on the subject must come from this committee. Now, this is true, that for administrative purposes purely the forest reserves were transferred, under a bill which I had the honor to introduce, from the Interior Department to the Agricultural Department. That transfer clearly and definitely was only for administrative purposes. The Committee on the Public Lands provides for rights of way which apply not only to the public lands but to the public forests—for instance, the right-of-way act of 1891, March 4, the right-of-way act of 1901, August 15, if I am accurate in my recollection of the dates—so there can be no question whatever about the jurisdiction of the Committee on the Public Lands over this entire subject, and no other committee has ever attempted at any time to legislate on the disposition of those lands other than for administration.

Mr. ANDERSON. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. ANDERSON. Assuming the Public Lands Committee has jurisdiction of the subject, it can not report a bill or a provision touching the subject matter which is not referred to it, and the question of lands in the national forests and of these two national monuments was not referred to it because they were not in the Senate bill when that bill was referred.

Mr. MONDELL. Mr. Chairman, the chairman is familiar with parliamentary practice. He knows perfectly well a bill dealing with coal and coal lands, oil and oil lands—and this bill deals with every acre of public coal land in the United States—when that comes before the committee having jurisdiction of the subject matter it can report legislation of any character with regard to those lands, and in this case the committee saw fit to provide in certain instances for sales and in certain instances for leases. The bill covers the entire subject. It involves and embraces every acre of public land in the public domain everywhere, and the committee is not bound to some provision that may have been in a bill referred to it. But assuming that that were the case, in order to knock the large remaining unstable prop from under the argument of the gentleman from Minnesota, the Senate bill which was referred is a bill to dispose of coal lands of the United States and of parts of the public domain and in an exceedingly liberal way, and

the only difference between the Senate bill and the House bill with regard to that matter relates to the character of the legislation.

Mr. RAKER. Will the gentleman yield for a question?

Mr. MONDELL. In a moment. Section 2 of the Senate bill provides:

That any citizen or any association composed of persons severally qualified by law to enter coal land—

And so forth—

may buy public coal lands at \$10 an acre—

And so forth—

any quantity of vacant coal lands of the United States within any State or Territory of the Union not otherwise appropriated by competent authority.

The words "appropriated by competent authority" do not include and never did include the mere withholding of an area for a specific purpose, and even if they did the committee that has jurisdiction over the subject does not have to legislate along lines of the House that originated the legislation. If that were the rule then we might as well adjourn and go out of business and let the Senate do the whole thing. It is true that the Secretary of Agriculture, through an inadvertence, I have no doubt, or misinformation conveyed to him by some subordinate somewhere, did suggest the Senate bill did not refer to lands in forest reserves, but it does refer to them, and it is the most sweeping legislation in regard to those lands that has ever been presented to either of the legislative bodies of this Nation. I now yield to the gentleman from California.

Mr. RAKER. Is it not a fact that the Committee on Agriculture simply has jurisdiction as to the use of the land?

Mr. MONDELL. The Committee on Agriculture has no jurisdiction over any public land anywhere except for its use and administration.

Mr. RAKER. That is it; the question of title and the disposition of it is in the Committee on Public Lands?

Mr. MONDELL. Always.

The CHAIRMAN. Unless some gentleman desires to be heard further the Chair is ready to rule.

Mr. FERRIS. Mr. Chairman, just a word. This is not an appropriation bill. If it was the chairman would properly look with very close scrutiny to all matters of legislation, foreign in character, that might be in the bill. This is a bill having to do with the disposition of Government land, which duty has at all times been reposed in the Committee on the Public Lands. No one has ever attacked it before. Why, the Department of Forestry was only created about a dozen years ago and is merely an offspring and a mere fledgling of the Committee on the Public Lands, and for them now to assert lack of jurisdiction, on a bill dealing with the disposition of coal, oil, gas, and other minerals which are the property of the Government, that has at all times faithfully, undoubtedly, and unquestionably vested in the Public Lands Committee is so preposterous that I dare say the Chair does not want to be bored further with it. I ask for a ruling.

The point raised by the gentleman from Minnesota [Mr. ANDERSON], in brief, is this—

Mr. CRAMTON. Mr. Chairman, if I may have only half a minute I desire to call the Chair's attention to section 4197, volume 4, of Hinds' Precedents, which states:

The forest reserves created by setting aside portions of the public lands are, so far as legislation—distinguished from appropriation—is concerned, within the jurisdiction of the Committee on Public Lands.

And then it gives numerous instances where that jurisdiction has been exercised.

The CHAIRMAN. The point of order raised by the gentleman from Minnesota [Mr. ANDERSON], in brief, is this, that as the bill includes national forests and also the Grand Canyon and Mount Olympus National Monuments, therefore the Committee on Public Lands, to which this Senate bill was referred, has no jurisdiction of the subject.

The Chair differs with the gentleman. Whilst it may be true, and undoubtedly is true, that the Committee on Agriculture might have correlative power, it does not have exclusive power over this subject matter. It is also true, apparently, that the Committee on Public Lands has jurisdiction over the forest reserves in so far as executive and legislative functions are concerned, but perhaps not exclusively as to administrative functions. It is also true, as the gentleman from Oklahoma [Mr. FERRIS] has stated, that he proposes to offer an amendment in the future to exclude these different monuments mentioned, to wit, the Grand Canyon and Mount Olympus, and also the forest reserves. I quote from page 782 of Hinds' Precedents, as follows:

The Committee on Public Lands exercises jurisdiction as to such forest reserves as are created out of the public domain.

Therefore the point of order is overruled.

Mr. FERRIS. Now, Mr. Chairman, I offer the following amendment. I think the Chair inadvertently stated that I was going to offer an amendment eliminating the national forests. What I am going to offer is to eliminate the Grand Canyon and Mount Olympus National Monuments, because the law now authorizes the Interior Department to sell coal lands in the forest reserves, and I do not now, without committee consideration, desire to change the law in that respect.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will read.

The Clerk read as follows:

Amendment by Mr. FERRIS: Page 29, line 11, at the end of the section, insert the following:

"Provided, That this section shall not apply to lands within the Grand Canyon or Mount Olympus National Monuments."

Mr. FERRIS. Now, Mr. Chairman, just a word. The coal lands, according to the law as it now stands, and as it has stood since 1873, and with the amendment of 1907, provides for the sale of coal lands, both within and without the national forests, through the Interior Department. That is the law now. However, as to the Grand Canyon and Mount Olympus National Monuments that was not the law. It was first considered in the committee and then out of the committee and at both ends of the Capitol, and it was not desired to change the present coal-land law one way or the other. Therefore I offer the amendment to strike out the Grand Canyon and Mount Olympus National Monuments, so that the law will remain just exactly as it is now. If it needs attention in the future we can consider it carefully and act intelligently on it.

Mr. ANDERSON. Mr. Chairman, I desire to offer an amendment to the amendment.

Mr. RAKER. Wherein is the law not applicable to the Grand Canyon and Mount Olympus National Monuments, where there is coal land at the present time?

Mr. FERRIS. I am relying on the letter of the Secretary of Agriculture and also on conversations I had with representatives of the Secretary of Agriculture, that in the coal-land laws those national monuments were excluded. And I explained to him very carefully the committee did not desire to change the law in any way, and for that reason I was willing to move to strike those two monuments out. And so far as his request came to repeal the whole land law, as applied to 350,000 acres of forest reserve—

Mr. RAKER. As a matter of fact, though setting aside both of those reserves, the coal-land laws are still applicable?

Mr. FERRIS. I anticipate not. I assume when they were withdrawn from the reserve they were not subject to any entry of any sort. And that is not true of the agricultural reserve.

Mr. RAKER. I desire a few moments on that when you get through.

Mr. CRAMTON. The amendment the gentleman has offered to section 2 has reference solely to the coal lands?

Mr. FERRIS. That is all.

Mr. CRAMTON. Has the gentleman in mind any other monuments in reference to oil, phosphate, oil shale, and so forth?

Mr. FERRIS. I do not think so, because I do not think there is any objection to that. Of course, the drilling of an oil well in a reservation that carries a large area of coal land—

Mr. MONDELL. Will the gentleman from Oklahoma [Mr. FERRIS] allow me? The objection of the Agricultural Department, as I understand, I will say to the gentleman from Michigan [Mr. CRAMTON], was merely to the sale provision for coal, and they have no objection to the leasing provision.

Mr. CRAMTON. Do I understand that the Agricultural Department made objection to the provisions of the bill as written?

Mr. FERRIS. They wrote a joint letter that was handed to me when in the water-power committee meeting, and which I had read at the desk.

Mr. CRAMTON. And the Department of Agriculture has been called on repeatedly for some information prior to this report?

Mr. FERRIS. It was; and after that, and I sent it up, and I thought it was due to the committee to present it when I did. As the law now stands, the Grand Canyon and the Mount Olympus National Monuments are only 2 out of 30 of the national monuments that are under the jurisdiction of the Department of Agriculture. All of the rest of them are under the Interior Department. These two monuments, as the law now stands, are not subject to coal-sale law, and he hoped we would not make them subject. His second purpose was to repeal the coal-land-sale law, which has now full application to the forest reserves, and strike it out. I do not believe we ought to do that without some committee consideration. This bill has been before Congress for five years and no objection was ever made before.

Mr. ELSTON. Does the gentleman mean to say as to the other 28 national monuments under the jurisdiction of the Interior Department, that the operation of this law goes without restriction? Why should the policy, then, as to national monuments be different under the Agricultural Department than with the 28 under the Interior Department?

Mr. FERRIS. The only reason is they are up here asking it, and you would have a continuation of the controversy that is constantly going on between the Agricultural Department and the Interior Department, practically stepping on each other's toes. This divided jurisdiction has always been very doubtful of propriety and good sense, and any unwarranted jealousy only enhances the doubt.

Mr. MONDELL. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. MONDELL. Is there not another fairly good reason, and that is the reason why we may accede to the requests of these gentlemen without doing any harm, which is that there is not any coal on either the Grand Canyon or Mount Olympus National Monuments?

Mr. FERRIS. It is a better reason than any other that I know of, and I am willing to take that one. But let me suggest to the gentleman from Michigan [Mr. CRAMTON] that there are 365,000,000 acres of forest reserve, a tremendous area, in the United States, and that area is being enlarged occasionally. Now, to say, after we passed a great national act here, that because 10 or 12 years ago a certain jurisdiction was slipped from one department to another we should take no intelligent action as to that and even repeal laws that now exist is to say something which, in my judgment, is not the thing to do.

Mr. CRAMTON. What puzzles me is that the committee had this bill before it for exhaustive hearings—

Mr. FERRIS. That is true—

Mr. CRAMTON. And the departments were fully advised, and were given full opportunity to present their views—

Mr. FERRIS. Yes; and the bill passed the House twice before—

Mr. CRAMTON. And now, after it has been pending, they seek to have us make a radical change, although no one outside the chairman understands the scope of it. It seems to me it is asking a great deal on the part of the department to ask that that action be taken.

Mr. FERRIS. The reason I am offering this is to leave the law exactly as it is.

Mr. CRAMTON. If we do not pass the bill, the law will remain as it is as to all provisions?

Mr. FERRIS. Certainly.

Mr. CRAMTON. And it was our desire to bring about legislation?

Mr. FERRIS. Certainly it was.

Mr. CRAMTON. Personally I think we ought to ignore that sort of a request.

Mr. FERRIS. The House can do what it likes, of course. I thought it was my duty to present these amendments to the House and to call them to the attention of the House. I rather think that if we did repeal it as to these two amendments, or strike it out as to these two amendments, and leave the national forests precisely as they are, we will have done no damage. That is all I ask to do.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. I yield to the gentleman from Minnesota.

Mr. ANDERSON. I do not want to open up a large subject, but this bill, as I understand it, provides for the leasing of all lands specifically referred to, in oil, phosphate, and so forth, but it includes coal and provides, in addition, for the sale of coal lands?

Mr. FERRIS. No; we leave the law just as it is.

Mr. ANDERSON. But you apply two methods in the case of coal, and you leave the law as it provides for the sale just as it is?

Mr. FERRIS. That is so.

Mr. ANDERSON. So that the two provisions are not treated exactly alike in the bill?

Mr. FERRIS. You mean the coal and the oil?

Mr. ANDERSON. Yes.

Mr. FERRIS. That is true.

Mr. LA FOLLETTE. Mr. Chairman, I question the advisability of the Congress making exceptions in the handling of these two national monuments any different from the handling of the entire number that have been created.

I know nothing about the coal possibilities of the monument comprising the Grand Canyon of the Colorado, but I am satisfied that the Agricultural Department knows practically nothing about the coal possibilities in the great Mount Olympus National Monument. It may be underlaid with thousands of tons of the

most magnificent coal, so far as they know. It is a monument of vast extent and immense possibilities. When it was set aside it had been but little explored and was largely inaccessible at the time it was created. I question the advisability of our making an exception in regard to two national monuments and the handling of the rest in a different manner. I hope that this amendment will not prevail.

Mr. RAKER. Mr. Chairman, ordinarily I do not want to criticize anybody or anything, but this bill has been before the committee and the House for six years. The committee thoroughly and industriously considered it, and it was one of the purposes of the bill—and no objection was made—that the many millions of acres of land that are in forest reserve should be excluded, so far as oil is concerned, or gas, or potassium, or phosphate, or coal; and at the last minute, without a hearing before the committee, the department asks now that fundamentally the bill be changed and that over half of the territory covered by the bill and over half of the lands that now belong to the Government be excluded from its operations.

No one can raise any objection that it will affect the forest lands to use them for all these purposes. Clearly if there is any coal land in any of these national monuments or in the Forest Service that can be accessible or can be used under this leasing bill, it ought to be used. The very object and purpose is to utilize these minerals and get some use of them. It is said private individuals should be prevented from getting title to them. Now, an attempt is made to legislate, to withhold title, to keep the title in the Government, but at the same time put around them proper regulations and restrictions and lease the land to the man, or the men, or the company, or the corporation that desires this coal for proper use. At the same time it can not injure anyone or affect anyone. When now, at the last minute, this kind of an amendment is introduced, I do not think the committee ought to adopt it.

I want to call your attention to the fact that if, as a matter of fact, the law of sale of coal land does not apply to these monuments, we do not reenact it, do we? Therefore there can not be any objection. That is true. There is no question about it. There are two conditions existing. If, as stated by the gentleman, there is no coal in either of these reserves, then it would not affect the Agriculture Department. But I am willing to say for the sake of argument that there is coal in both of them. We are now enacting a leasing bill, and anyone who is familiar with the forest reserves knows that you can not damage them, you can not injure them, you can not affect them, and you will not in any way destroy the watershed or the trees, or few, if any, by properly developing and taking out the coal that is in those lands, and then reserving and using it. It may be in places close to the towns and railroads. I trust that the committee will not adopt these amendments. Our chairman does not want them, either. [Laughter.]

Mr. ANDERSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

Mr. ANDERSON. To the amendment offered by the gentleman from Oklahoma I desire to add after the word "lands" the words "within national forests or."

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Minnesota to the amendment of the gentleman from Oklahoma [Mr. FERRIS].

Mr. ANDERSON. I desire to be heard on that. I have very great respect for the judgment of the committee and for the gentlemen who compose the Committee on the Public Lands. I think they have accomplished a very good job in reporting this bill as a whole. But I hope that the gentleman from California [Mr. RAKER] does not wish us to understand that when the Committee on the Public Lands completed the consideration of this bill the sum total of human wisdom had been expended on it, and that no one ought even to make a suggestion as to how it might be amended. I do not know very much about public-land legislation. The gentlemen connected with the Forestry Service, who are somewhat interested in legislation that affects this service, have suggested to me some of the things which would be possible in the operation of this section, which makes lands in the Forest Service subject to appropriation under the coal-land appropriation act.

I want to submit and have read from the Clerk's desk a memorandum prepared and submitted to me this morning by gentlemen in the Forestry Service of the Agricultural Department, which relates to the amendment to the amendment that I have just offered.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

MEMORANDUM.

MAY 21, 1918.

Some of the reasons why coal lands in the national forests should not be sold, but acquisition of coal limited to subsurface rights:

1. The coal-land sale provision enables a purchaser to secure valuable timberland by paying the Government the appraised price placed on the coal only. In this way lands worth \$100 an acre for their timber may be acquired by paying the minimum price of \$10 per acre for them as coal lands. The Interior Department has never been able to find authority for including the value of the timber in the price placed on the coal land. There are cases of this kind actually pending now.

2. Even if the purchaser were required to pay for both coal and timber in the national forest, such timber would, of course, be cut under ordinary lumbering methods, and the resulting slash and debris would remain a fire menace to surrounding national-forest timber, a menace beyond Federal authority or control.

3. Such intermingled private land in the national forests where the surface is not actually needed or used for mining purposes would form an unnecessary obstruction to handling forest lands as a unit for any given purpose—grazing, timber sales, protection of city watersheds against pollution, construction of unit improvements, such as roads, trails, telephone lines, fire breaks, and the like.

4. Lands which are already reserved for public purposes, such as timber production or watershed protection, should not be sold under the coal law, for the reason also that the surface, which is valuable for public purposes, is needed only to a very limited extent in coal development and operation, and in many instances not at all.

5. The lands will still have great and permanent surface value for timber production and watershed protection after the coal bodies are exhausted. Their utility for national-forest purposes is permanent. The permanent title should therefore remain in the Government.

(Signed) HENRY S. GRAVES, Forester.

Mr. ANDERSON. Mr. Chairman, I think it is unfortunate if it is true—and I take the word of the gentlemen of the committee for it—that the matters stated in this memorandum were not presented to the Committee on the Public Lands. But, Mr. Chairman, that is no reason why they should not be presented to this House and considered by the House.

The Forestry Service make no objection to the leasing of coal lands under the provisions of this act. They desire this legislation so far as it does provide for the leasing of coal lands; but it does seem to me that the suggestions presented by this memorandum are very strong reasons why coal lands within the national forests ought not to be sold outright, and without any power on the part of those administering the forest reserves to protect the forest rights in the reserves.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON. I ask unanimous consent that I may have two minutes more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. ANDERSON. All this amendment seeks to do is to reserve these lands from sale, not from lease, so that the Forest Service can preserve the right of the Government and the right of the people, to make best use of the forests in connection with the use of the coal. I think that notwithstanding the fact that the gentlemen on the Committee on the Public Lands say that this proposition has not been considered by them in committee it ought to be adopted by the House.

Mr. TAYLOR of Colorado. Mr. Chairman, the effect of the amendment offered by the gentleman from Minnesota [Mr. ANDERSON] is this: At the present time and always there has been a law on our statute books authorizing coal lands to go into private ownership, both in and out of the forest reserves. No one has ever seriously made any effort heretofore to repeal that law. It has been the law of the country for 50 years, since long before the forest reserves were created. When the forest reserves were created that law was not at all changed. Now, without this amendment having been considered by the committee, without either House ever having had an opportunity to consider it, this amendment is slipped in here by which it is sought to repeal that law, and to allow no private ownership whatever of any coal lands within the forest reserves in the United States or Alaska. That is what it amounts to. As a matter of fact probably two-thirds of all the public coal land in the West to-day is within the forest reserves, and, as a matter of fact further, probably two-thirds of all the forest reserves of the West have not one stick of merchantable timber on them. The Legislature of the State of Colorado several years ago memorialized Congress to the effect that two-thirds of all the 14,000,000 acres of forest reserves within my State do not have a particle of timber on them. They might have further memorialized Congress to the effect that on the lands in the forest reserves it requires a thousand years to grow a tree large enough for commercial lumber purposes. So that any talk about timber on a large part of the forest reserves or about reforesting the forest reserves in the mountainous portions of the West is absolutely impracticable and foolish.

It is not only foolish but not in good faith, because anybody that knows anything about it knows the utter impracticability

of reforesting mountainous lands in high altitudes of the arid West. Now, they say that the coal lands may sell for \$10 an acre. That is just as deceptive as the rest of it. There is no coal land that is being sold for \$10 an acre and has not been for 10 years. There has been practically no coal land sold at any other price for years, because the coal land is only sold at the price at which it is appraised, and the department takes mighty good care to see that the land is appraised so high that nobody can buy any of it. That is the policy and the condition of the West, and for that reason it is, practically speaking, an absolute deception for anyone to say that coal lands will be sold for \$10 an acre.

All of the five reasons set forth in the memorandum offered by the gentleman are utterly without foundation, and when you attempt to repeal in this manner a great law that has been so long in effect, applying to some 350,000,000 acres of land in the West, it certainly does not accord with my idea of good judgment or frankness. I want to say that there is not a man in this House living west of the Mississippi River that wants an amendment of this kind for his State, and it seems to me the wishes of the people of that country ought to have something to do with determining the question.

Mr. CRAMTON rose.

The CHAIRMAN. Does the gentleman rise in opposition to or for the amendment?

Mr. CRAMTON. I rise in opposition to the amendment. Mr. Chairman, section 2 of the bill is really a preservative section, a section which is intended to make it clear that this bill does not repeal, and is not intended to repeal, existing laws for the disposal of coal lands. The balance of the coal sections permit the leasing of coal lands, and there might have been an inference that having provided a leasing method, the method of sale had been repealed, and in order to guard against that possibility section 2 has been put in.

As I understand it, all of the 365,000,000 acres of forest reserve can under existing law be sold under the sections here enumerated for the sale of coal lands. I do not understand that they are being so sold, and I do not understand that there is any particular danger that they will be. It seems, as to these two monuments, by reason of some exception, there is a little change made unless the amendment of the gentleman from Oklahoma as offered is put in. As to the amendment of the gentleman from Minnesota, its effect is not to preserve the existing law but to alter existing law. We have been under that law for a great many years and the national forests have not been sacrificed by reason of it and will not be so sacrificed. The committee had the bill before it a long time, and the department did not see fit to communicate its fears or its wishes to the committee, and I personally feel opposed to putting such amendment in on the floor of the House affecting such an expanse of public lands, and I feel that it ought not to be adopted in this way.

Mr. MONDELL. Mr. Chairman, the amendment offered by the gentleman from Oklahoma, the chairman of the committee, is harmless enough. There is not any coal, as far as I am informed, and I am quite confident there is not any in the Grand Canyon or the Mount Olympus National Monuments reservations. So the probability is that the amendment offered by the gentleman from Oklahoma would have no effect at all. As a matter of grace and acquiescence in the wishes of the Secretary of Agriculture, it might be all right to adopt it if it did not establish a precedent.

There are a good many things in the bill that are not as they ought to be, and the Agricultural Department has made no suggestions. There are many things that a number of us would like to have amended, but they will not be amended, and I do not know why in the eleventh hour, the third time the bill has been considered, the Agricultural Department should suddenly discover that the national forests are greatly jeopardized.

No land containing coal, or supposed to contain coal, can be sold until it is appraised, and the appraised prices are notoriously high, so very high in fact that no one is buying any coal land. There will be very little coal bought under this provision. It is a useful provision, no doubt, because it may enable present operators and future operators to buy a small 40 or 80 acre tract to round out their holdings, but as far as anybody being in a considerable hurry to buy coal land at the present appraised price and open a coal mine it is ridiculous.

Lands containing coal of any commercial value are valued at \$40 or \$50 to \$500 an acre. If there is a little scattered timber on these surfaces, the appraised value is high enough to cover the value of the timber as well as the coal. It is a very excellent thing to continue these provisions of the law in order that they may be utilized in the limited class of cases and under the conditions in which they are likely to be utilized. The na-

tional forests are not going to suffer thereby. The probability is there will be very few sales of national-forest lands.

Mr. FERRIS. Mr. Chairman, the gentleman from Minnesota [Mr. ANDERSON] very properly has been here as spokesman for the Agricultural Department, and he felt that he had a duty to perform in offering this amendment. If the amendment of the gentleman from Minnesota [Mr. ANDERSON] is rejected, it will leave the coal-land law precisely as it is now. If my amendment is adopted we also leave the coal-land law precisely as it is now, without any change, and in honor and in justice we ought to do that thing. I have had a very long pull here, and a very great lot of work to do to get a bill out here at all, providing for the leasing of coal lands and leasing of oil lands. The people of the West want title; they do not want any leasing at all, and they do not want to pay the Government anything at all, and it has been a very great task on the part of some of us, and we have had to bare our backs to the whips and scourges of the people in the West who objected to any sort of regulation, any sort of leasing law. They object to anything where the Government has any right at all to supervision over it. Now those who have fought the battles along that line ought not to disrupt here, and ought not to change it. The representatives of the West have very kindly submitted, not so willingly, but have submitted to the leasing law, and we ought not to offer a cure for all the ills at one sitting, but make another bite at the cherry—

Mr. LA FOLLETTE. Does the gentleman mean to suggest the law is any different in regard to those two monuments you want to—

Mr. FERRIS. Yes; I do, if the gentleman will pardon me. When those two monuments were withdrawn, they of course were reserved from all sorts of entry and sale. Our provision in the bill puts them back in, and we ought to strike it out. This will do no damage, as they do not have any coal in them anyway.

The CHAIRMAN. The time of the gentleman has expired.

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota to the amendment of the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is now on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the Chair announced that the yeas appeared to have it.

On a division (demanded by Mr. FERRIS) there were—ayes 33, noes 8.

So the amendment was agreed to.

The CHAIRMAN. The Chair understands the gentleman from Oklahoma offers another amendment?

Mr. FERRIS. Mr. Chairman, the action of the House just taken on the first amendment was in reference to the elimination of forest reserves, and likewise to restore the two monuments; so if the second amendment is inserted it would have no application.

The CHAIRMAN. The gentleman withdraws the amendment.

Mr. FERRIS. I was not aware it was offered; it was merely read for information.

The Clerk read as follows:

Sec. 3. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States outside of the Territory of Alaska, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract; and thereafter the Secretary of the Interior shall, in his discretion, from time to time, upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may, by general regulations adopt, to any qualified applicant: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal lands or deposits of coal in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder. That such a railroad or common carrier may be permitted to take under the foregoing provisions not to exceed one lease hereunder upon and for each 200 miles of its line in actual operation. The term "railroad" or "common carrier" as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, but shall not include spurs, switches, or branch lines operated by any lessee and necessary to connect the mine with the line or lines of any railroad or other common carrier.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I have a letter written by the Commissioner of the

General Land Office to Senator UNDERWOOD, which I send to the Clerk's desk and ask to be read.

The CHAIRMAN. Without objection, the letter will be read.

There was no objection.

The Clerk read as follows:

GOVERNMENT-OWNED COAL LAND AND COAL DEPOSITS IN ALABAMA.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, May 18, 1918.

HON. OSCAR W. UNDERWOOD,
United States Senate.

MY DEAR SENATOR: Referring to your personal call on the 14th instant, with reference to Government-owned coal lands and coal deposits within the State of Alabama, the act of March 3, 1883 (22 Stat., 487), provides, in part—

"That within the State of Alabama all public lands, whether mineral or otherwise, shall be subject to disposition only as agricultural lands: *Provided, however*, That all lands which have heretofore been reported to the General Land Office as containing coal and iron shall first be offered at public sale."

Under the terms of the act cited, public lands in the State of Alabama, which were owned by the Government on the 3d day of March, 1883, were, on and after said date, subject to disposal only as agricultural lands (18 Fed. Rep., 799), regardless of their character as mineral or nonmineral and regardless of whether they did or did not contain coal or iron or coal and iron, with this restriction, however, that as to public lands in said State which had been, prior to said 3d day of March, 1883, reported to the General Land Office as containing coal and iron, they should first be offered at public sale by President's proclamation (3 L. D., 171).

The provisions of the Federal coal-land laws (secs. 2347-2352 R. S., U. S.) ceased to operate within the State of Alabama from and after the passage of said act of March 3, 1883 (6 L. D., 501). Coal lands in said State not within the purview of the proviso above quoted were, after March 3, 1883, subject to disposition only as agricultural lands; but as to the lands within said quoted proviso they could not be sold as agricultural lands unless it first appeared that they had been, after March 3, 1883, by proclamation of the President, offered at public sale.

"The object of the proviso of the act of March 3, 1883, evidently was and is to except from or take out of the operation of the declaration in the act that mineral lands shall thereafter be disposed of as agricultural lands, that class of lands which had previously been reported to and dealt with by the General Land Office as mineral lands, and thus prevent them from falling back into the system applicable to agricultural lands, until they shall first be offered at public sale with a view that the Government might receive the benefit of such enhanced value as may have attached thereto by reason of their having been classed as mineral; but it is also evident that the offering at public sale contemplated by said proviso is a future thing." (Excerpt from 8 L. D., 75.)

I am unable to find that the lands referred to in said above referred to and quoted proviso have ever been put in the market and offered at public sale.

By the act approved March 27, 1906 (34 Stat., 88), it was provided: "That the Secretary of the Interior be, and he is hereby, authorized to reclassify the public lands of Alabama, so as to determine which of said lands are in fact agricultural lands and which mineral lands, and to decide which of said lands shall be subject to homestead entry, and to that end he is hereby authorized and empowered to employ such expert mineralogist, assayer, and civil engineers as may be necessary to designate and survey said mineral and agricultural lands."

"Sec. 2. That upon receipt of the report of the parties designated to make such classification, all lands designated thereby as agricultural shall be subject to homestead entry as such."

Following the passage of said act of 1906 the Secretary of the Interior reclassified such of the public lands in Alabama as were reported prior to said 3d day of March, 1883, as containing coal and iron, except certain tracts which were erroneously omitted from the list of lands to be reclassified, and on the 17th of August, 1907, transmitted to the register and receiver at Montgomery, Ala., what were designated as schedules "A" and "B," said schedule "A" consisting of a list of those tracts of lands so reported which are now classified as agricultural lands and said schedule "B" consisting of a list of the lands which are now classed as mineral lands and which are unappropriated except by pending homestead entries. Concerning the lands in said schedule "B" it was stated (36 L. D., 109) that "their status is not affected in any manner by the passage of the act of March 27, 1906, nor by the present reclassification. Until said lands shall have been offered for sale, they will not be subject to entry of any kind."

It was stated in the letter to said local land officers that as to the tracts erroneously omitted from the list of lands a supplemental report would be made, and that as to the entries embraced in said schedule "B" which were suspended prior to the act of March 27, 1906, same were to remain suspended pending further action.

Said schedule "B" embraces approximately 68,000 acres of land in the vicinity of the Warrior field as mineral land valuable for coal. A report on a part of this field may be found in United States Geological Survey Bulletin 400, pages 170 to 189, and folio 179. A report on the northern part of the Cahaba coal field east of the Warrior Basin was published in 1906, Bulletin 316, pages 76 to 114. These bulletins may be obtained from the United States Geological Survey.

On the 23d day of April, 1912, it was provided by an act of that date (37 Stat., 90):

"That unreserved public lands containing coal deposits in the State of Alabama which are now being withheld from homestead entry under the provisions of the act (of Mar. 3, 1883) may be entered under the homestead laws of the United States, subject to the provisions, terms, conditions, and limitations prescribed in the act of June 22, 1910" (36 Stat. L., 583).

And in paragraph 5 of the May 24, 1912, circular, in 41 L. D., 32, under said act of April 23, 1912, it is stated that—

"There is at this time no law which provides for the disposition of the coal in these lands."

It would be impracticable, with the limited force at hand, to give in detail the exact status, by 40-acre tracts, of said approximately 68,000 acres of land. Some of this land, both surface and subsurface, is owned by the Government, while as to other portions thereof the surface has been entered under the homestead law and said act of 1912 with a reservation of the coal deposits to the Government.

The said statement that there is at this time no law which provides for the disposition of the coal in these lands refers to the coal which has been reserved to the Government by homesteaders who have made homestead entries under the homestead law and said act of 1912. One of the provisions of said act of 1910 referred to in said act of 1912 is (sec. 3 of said act of 1910) that "the coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in force at the time of such disposal," but, as has been heretofore stated, the coal-land laws are not now and have not been since 1883 in force in the State of Alabama, and so the coal deposits reserved by homesteaders to the Federal Government, where their entries are made under the homestead law and said act of 1912, can not be sold under the coal-land law; neither is there any existing law whereby they can be put on the market by presidential proclamation or otherwise, it being obvious that a mere deposit of coal situate in land the surface of which has been disposed of under provisions of laws heretofore mentioned can not be disposed of as agricultural land or as a homestead entry.

As to the land and the coal in the land mentioned in said schedule "B," same may, in any case where there has been no entry thereof under the homestead law and said act of 1912, and where there has been no withdrawal or reservation thereof, be disposed of by proclamation of the President by public sale (42 L. D., 489).

From the foregoing it will be noted that of the 68,000 acres in Alabama of coal land or land in which there are reserved coal deposits the said reserved deposits are not now subject to disposition under any law, and the coal lands for which no surface entries have been made are still controlled by the old act of 1883, as modified by the act of 1912, allowing the disposition of the surface. It is reasonably certain that the language of the proposed leasing bill (S. 2812), or House substitute therefor, will not reach the coal lands on which no surface entries have been made, and it is more or less doubtful whether it will reach the coal deposits in the lands for which surface entries have been made. Manifestly this is an unsatisfactory situation. At any rate, if it is desired to make the general leasing bill applicable to Alabama coal lands and reserved coal deposits, adequate language to that end should be inserted in the leasing bill so that there will be no doubt about it. This could be accomplished by insertion in the bill as reported by the House (H. Rept. 563 on S. 2812), after the words "United States," line 20, page 28, of the words "including the coal land and coal deposits referred to in the acts of March 3, 1883 (22 Stat., 487), March 27, 1906 (34 Stat., 88), and April 23, 1912 (37 Stat., 90).

Very respectfully,

CLAY TALLMAN, *Commissioner*.

Mr. HUDDLESTON. Mr. Chairman, I apologize for having taken the time of the committee to have the opinion read. Those who have followed the reading see that the question involved is a matter relating only to Alabama coal lands owned by the Government. It appears that these lands are held under certain acts which are not generally applicable, which are applicable perhaps only to Alabama, and that the commissioner is of opinion that under this bill, in the form in which we are now considering it, these lands will not be affected by it. Now, it is for the purpose of putting Alabama lands on exactly the same footing as other lands—and undoubtedly the bill was intended to do that—that I have risen. It seems to me we ought to have this bill applicable to all sections of the country. It was evidently intended to be so drawn. The chairman of the committee thinks it does so apply, and I agree with the commissioner that we should not leave any doubt remaining on that subject.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. HUDDLESTON. With a view to correcting this defect, I ask unanimous consent to return to section 2 of the bill, so that I may offer an amendment to incorporate in the statute the words which the commissioner suggests.

Mr. RAKER. Mr. Chairman, reserving the right to object—

The CHAIRMAN. One moment. Let the Chair state what the request is. The gentleman asks unanimous consent to return to section 2 for the purpose of amendment. Is there objection?

Mr. RAKER. Reserving the right to object, Mr. Chairman, I want to say to the gentleman that placing the amendment that the gentleman suggests at the point suggested—on page 28, line 20, after the words "United States"—if it means anything at all, it disposes of the coal lands in Alabama under the sale provision and not under the leasing provision. And that is not what he wants, is it? He wants to make the coal lands in Alabama subject to lease, does he not?

Mr. HUDDLESTON. I want to put the coal lands in Alabama on the same footing as coal lands elsewhere.

Mr. RAKER. In other words, what I am getting at is this: Do you want to put the coal lands of Alabama under lease under this bill?

Mr. HUDDLESTON. I want to make the amendment that the commissioner suggests. That is to say, to take away from the bill any doubt that there might be any special situation or condition applying to Alabama that does not apply to other lands. Now, the commissioner does not give any opinion as to the matter of lease, and I will not seek to make any change there.

Mr. RAKER. What I am getting at is this: That by this amendment, if it is intended to make applicable the present coal mining law, you authorize the sale of the Alabama coal lands and not lease them.

Mr. MONDELL. Will the gentleman yield?

Mr. RAKER. For a question.

Mr. MONDELL. Is it necessary to amend the bill in order to include Alabama? Really I have always thought that Alabama was in the Union, but if it is not we ought to bring it in.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. HUDDLESTON] has expired.

Mr. RAKER. Mr. Chairman, I am reserving the right to object to the request.

Mr. MONDELL. If that is necessary, the amendment should be in the first section. Then all the provisions of the bill will apply.

Mr. RAKER. What I am trying to get at and to call the attention of the gentleman from Alabama and other members of the committee to is, that if the amendment goes in at the point suggested, it might simply make the general coal-land law applicable to Alabama, when, as a matter of fact, his intention is to dispose of the Alabama coal lands under lease.

Mr. MONDELL. But, if it goes in the first section, it covers both.

Mr. RAKER. Absolutely, and it ought not to go into this place.

Mr. CRAMTON. I will object to that request for the reason stated. I think, if the gentleman will put it in line 8, after the word "including" in section 1, he will accomplish what he wants.

Mr. HUDDLESTON. I will say that I am offering it at the point where the commissioner says it ought to be. He has given the subject careful consideration, and I know that this is his opinion, and I would rather accept that than to take my own opinion offhand.

The CHAIRMAN. Is there objection?

Mr. RAKER. Mr. Chairman, reserving the right to object—

Mr. FERRIS. I object.

Mr. RAKER. Mr. Chairman, I want to suggest to the gentleman that if he wants to get that amendment in why could he not put it in—

Mr. CRAMTON. Line 8, section 1.

Mr. RAKER. I have got a better place. Section 3, page 29, line 15, after the word "States."

Mr. CRAMTON. That only applies to the leasing. If he puts it in section 1, it will apply to both leasing and sale.

Mr. FERRIS. Let me suggest to the gentleman from Alabama something. There may be something to the suggestion of the gentleman from Alabama, but it is very questionable if we ought to accept an amendment of this sort without looking into it. This bill will be in conference, and we could take it up then, and I can go over it with the gentleman from Alabama.

The CHAIRMAN. The Clerk will read.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that I may have 10 minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that he may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, referring for a moment to the matter of these Alabama coal lands, I am somewhat familiar with the legislation that has been referred to. It was reported while I was a member of the Committee on Public Lands, and I think there is no manner or sort of doubt but that these Alabama coal lands are included within the provisions of this bill. Alabama is a State of the Union, and the public lands in Alabama have no different status from any other public lands that would exempt them from the provisions of this act.

But, Mr. Chairman, I want to discuss for a moment the provisions of this section. Section 3 evidently contemplates the dividing up by the Secretary of the Interior of the public lands into leasing blocks.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from California?

Mr. MONDELL. Into such tracts and areas as in his opinion will promote the most economical mining of the coal. I will yield to the gentleman briefly.

Mr. RAKER. That idea of blocks is stricken out of the bill. We do not put the blocks in the bill at all.

Mr. MONDELL. The committee has transformed the blocks into tracts. There is some difference between tweedledee and tweedledum, but there is no difference between blocks and tracts.

when it comes to a matter of this sort, so that it is a distinction without a difference.

I have discussed this matter several times before the committee, and I have some hesitation about taking up the time of the committee further in discussing it, except in the hope that in the conference, when all these matters will be considered, we may secure a better plan for coal leasing than is provided for in this section. We tried the dividing of the coal lands up into blocks and tracts in Alaska, but without any considerable success. We would have done better if we had said to the prospective lessee: "Go out into these fields, do your own prospecting and developing, and block out an area upon which a mine can be developed; bring us your application; we will examine it, and if you have what seems to be a proper area for an economic mine we will lease it to you."

It has developed that what was done and what is now proposed was not wise as applied to Alaska, but it did not cost us very much, because Alaska's coal areas are small as compared with the coal areas of the country generally. But as applied to the multiplied millions of acres of coal lands of the country generally, this means that a bureau of the Government would be expected to go out on the public domain and spend vast sums of money in dividing the public land up into leaseholds. No one can satisfactorily do the developing work, do the prospecting work necessary for the proper opening of a mine other than the man who himself desires to open the mine. This plan will be expensive and will not be in the public interest, in my opinion.

Further than that, the bill ought to provide for a prospecting permit. The committee wisely provided for a prospecting permit on oil lands. It is even more important that there should be a prospecting permit on coal lands.

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FERRIS. Whether rightly or wrongly, they insist that they know where the coal deposits are. They claim that in drilling they know precisely where the deposits are, and they know of no valid reason why there should be prospecting at all. That was their statement to the committee.

Mr. MONDELL. I will say, Mr. Chairman, that in one case I personally prospected for two years a certain coal field, and the people with whom I was associated invested something like \$90,000 before we had developed the facts necessary to justify the opening and development of a mine. Why, the Government has spent large sums prospecting some of those blocks in Alaska. Of course the coal is there, of varying thickness, dip, depth, and quality; but the determination of the question as to where the vein shall be attacked for successful and economic mining, the question of the areas that are reachable from the entries made—those things can not be determined from any superficial examination in any coal field on earth, save perhaps fields like some parts of Illinois or Pennsylvania, where the vein lies at about an equal distance from the surface everywhere and is exceedingly uniform. On much of the public lands of the United States the character and the thickness of the vein changes rapidly, the dip varies greatly, and a very considerable amount of prospecting is necessary in order to determine where a mine can be economically opened and operated. Among other questions to be determined are those relating to the location of loading tracks, where the necessary housing for the employees may be provided, where transportation facilities may be made available. There are a score of things, all having their bearing on the question of where a vein should be opened or attacked, and the size and location of the area surrounding that opening necessary for the proper development of the mine.

Mr. MADDEN. Is the price made uniform in this leasing bill—for coal, for instance?

Mr. MONDELL. No. The leasing price is not less than 2 cents a ton, and such higher royalty as the Secretary of the Interior may fix; and then, in addition to that, all leases are subject to bidding, and the lease goes to the highest bidder. The longest pole and the thickest and biggest pocketbook gets the persimmon.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. RAKER. What suggestion has the gentleman now?

Mr. MONDELL. I have offered amendments to remedy the situation on two previous occasions.

Mr. RAKER. Let me finish my question. This bill gives a man extra territory for mills and sites and grounds and rights of way.

Mr. MONDELL. That does not suffice. A man must have the opportunity to go out into the field and find out the thickness and quality of the vein, to learn whether the vein is continuous, to study its dip, and to determine all those things that are necessary, except where the land is lean and unbroken, and the vein is of uniform depth and dip, before he can intelligently open a mine and conduct it with success.

The bill makes no provision for that at all. The gentleman asks me what I would suggest. I have offered amendments here on different occasions affecting that situation, but for some reason or other the committee has not seen fit to adopt them. I still hope that when this bill goes into conference that matter will be given consideration, and that first there will be given a prospecting permit, and following that prospecting permit there shall be a lease granted. I would have a very different provision as to the lease than that contained in this bill.

In my opinion, we shall never have satisfactory coal development under a system that proposes leasing under bids. In the first place, it excludes any man and every man of ordinary means wherever he is in competition with individuals or corporations of great wealth. In certain sections of the State of Colorado no one would have much prospect of opening a coal mine if the Colorado Fuel Co. desired to compete against him under the provisions contained in this bill. In other sections no man of ordinary means could hope to open a coal mine if one of the great corporations operating there saw fit to bid against him. They could bid a cash bonus so high that no man of ordinary means could afford to pay it. When the great bonus is paid, it is a little money in the Treasury, it is true, but the public will pay it back many times over in the increased cost of their fuel.

It is not a wise plan. It was never a part of the plan or purpose of those who originally proposed this kind of legislation. The Secretary of the Interior should be given discretion to impose the amount of royalty that he deems wise under the circumstances, preferably within limits provided by law. And then he should lease the property under conditions that will warrant its economical development. This system of bids and bonuses is a system which will concentrate both coal and oil in the hands of great corporations. This plan does not give the man of ordinary means any chance at all wherever a man of large means or a corporation of large means sees fit to bid against him, and it is not the sort of legislation that we should encourage.

Mr. MADDEN. Has it not always been the policy of the Democratic Party to work against monopolies? And does the gentleman pretend to say that now the Democratic Party are in favor of monopolizing?

Mr. MONDELL. I hope no one intends to encourage monopoly, but it will inevitably lead to monopoly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask that the gentleman from Wyoming have one minute more in which to answer a question.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time of the gentleman from Wyoming be extended one minute. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Is the gentleman from Wyoming on the Committee on the Public Lands?

Mr. MONDELL. No; I am not.

Mr. COOPER of Wisconsin. Does the gentleman know what argument was made in favor of that bonus provision?

Mr. MONDELL. If the gentleman had heard the discussion during general debate yesterday, he would have known that there has been very little discussion of the general provisions of this bill. Most of the discussion has been with regard to certain so-called relief measures, and I think perhaps I am the only one who has discussed these general provisions to any considerable extent. I know of no argument except that the Government may get more money in some cases by exacting a bonus, but it must inevitably lead to concentration and to monopoly and it tends to keep the ordinary small fellow out of the coal and oil business.

Mr. COOPER of Wisconsin. I move to strike out the last word, and I should like to ask the gentleman from Wyoming another question. Is this the first time that that provision has been in any bill regulating the disposition of coal lands?

Mr. MONDELL. That provision has been in this particular legislation since it was first introduced. This is the third time that a bill somewhat similar to this has been before the House, and the provision has been in this bill twice as it passed the House and twice I have called attention to the danger in

this provision. Some gentlemen came here a short time ago and appeared before the committee and called attention to the danger of monopoly in oil under that kind of a bonus provision, but no one seems to be paying very much attention to the general provisions of the bill as they relate to coal, because there does not seem to be anyone anxious to make a coal lease. This is the plan: The Secretary fixes the minimum royalty, and then he offers the lease to the highest bidder. Now, I assume that that bid must, under the terms of the bill, be in the nature of a bonus. A bidder would say, "I agree to take a lease of a certain described area, paying the royalty fixed and under the conditions prescribed, and in addition to that I will pay \$5,000, \$10,000, \$20,000 or \$100,000 for the lease." That is the plan that has been followed somewhat, I understand, in Oklahoma in the sale of Indian oil leases. However successful or unsuccessful it may have been there, it is not sound as a general public policy. The bill authorizes the Secretary to fix any royalty he sees fit, provided it is in excess of 2 cents a ton of 2,000 pounds, and we should provide that the Secretary fix a fair royalty and grant the lease under that royalty. That would give all comers a chance at the lease. But if the lease is to be put up to the highest bidder, the highest bidder is almost certain to be the corporation that is operating in that community. Now, gentlemen may say that the matter is safeguarded because only one lease may be taken under this bill, and therefore that prevents combinations; but the gentleman knows how these things are gotten around. Another corporation or individual, apparently not the one operating the next mine, bids above the ordinary comer and the lease goes to him. We must make up our minds that if we are to adopt this bidding system on oil and coal leases, the ordinary citizen, the man of limited means, is not going to have any opportunity at all.

Mr. COOPER of Wisconsin. Mr. Chairman, I think that answers my question.

The CHAIRMAN. The gentleman still has one minute remaining.

Mr. COOPER of Wisconsin. I will ask one more question.

Mr. MONDELL. I want to say to my friend in just one second of that minute that I do not believe anybody intends to build up monopoly under this bill. Gentlemen are proceeding in good faith. What I do believe is that what they have done will result in the building up of a monopoly.

Mr. COOPER of Wisconsin. The gentleman certainly presents a very strong argument in support of his contention that the people having the most money will make the highest bid and pay the biggest bonus, and therefore will get the lease.

Mr. FERRIS. Will the gentleman yield?

Mr. COOPER of Wisconsin. I was just propounding a question to the gentleman from Wyoming. The title of the bill as it left the Senate is—

An act to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

I notice that, on page 28, line 7, the bill is confined to—

Deposits of coal, phosphate, oil, or gas—

And that sodium is omitted. Why was sodium omitted?

Mr. FERRIS. Because we passed a special bill for that, and it became a law.

Mr. COOPER of Wisconsin. When?

Mr. FERRIS. In the last session of this Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask that I have two minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. FERRIS. We passed a special bill, and it is a law.

Mr. COOPER of Wisconsin. But it is strange that the Senate had forgotten that, because this bill passed the Senate January 27, 1918.

Mr. FERRIS. The gentleman from Wisconsin will not hold me responsible for all the omissions of the Senate, I am sure.

Mr. COOPER of Wisconsin. No; but it excuses me for forgetting that that bill had been passed. Now, I should like to have the gentleman answer the question that I put to the gentleman from Wyoming.

Mr. FERRIS. All I have to say is that there is a limitation on the area that any bidder can get. No one man or corporation can get more than 2,550 acres, which is a comparatively small area for coal people to operate. Second, they can not transfer a lease without the approval of the Secretary of the Interior. Hence, the only monopoly would be to have one of these leases, to work it under the strict surveillance of the Interior Department, and pay the royalty thereon, and pay as much bonus

as the business would stand. This is real conservation in the public interest. It is a long step in the right direction. It supplants an old antiquated law that everybody desires to get rid of. It is favorably recommended by all the departments of the Government. It is just as it has twice passed; it is all right. If anything develops later we can look after it in conference; or, still, if we miss anything in conference, the Congress will still be here—they can amend it.

Mr. COOPER of Wisconsin. Is there anything to prevent the great corporations from bidding and making purchases?

Mr. FERRIS. If they make purchases they can not transfer them without the approval of the Secretary of the Interior. This is the first time that the Government gets a chance to say you can have but one lease and no more, and you must pay a royalty and submit to such rules and regulations regarding the proper treatment of labor, regarding the proper conduct of mines, regarding the sale of the commodity, as the Government thinks reasonable. The gentleman from Wyoming this year objects to competitive bidding, as he did last year and the year before when the bill was passed. That may or may not be the better way to determine it. Suppose the gentleman from Wyoming, the gentleman from Wisconsin, and myself were each to make application for a given tract at the same time. There must be some method of determining which one shall have the lease, and what way can be so wholesome, what way can be so just, as to let us bid for it in the open market? The gentleman from Wyoming complains that the man who had the money would get the coal land, and the man without the money would not get it. There is some truth in that, but the mining of coal is not a business for the barefoot boy or the barefoot homesteader to engage in. It is a million-dollar job to start with. It is not a question of taking the bread from the penniless homesteader, because he could not mine coal. It is more a question of determining between three or four coal operators, either one of whom is able to pay the royalty in the first place; and in the second place to pay a bonus to determine which one shall have it. This will not blast the Treasury to put a few pennies into it, as distinguished from constantly depleting it.

Mr. MONDELL. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MONDELL. Has not this been said as an argument in favor of the leasing system—and I think a strong argument—that under the leasing system a man was not required to make a tremendous investment, while under the purchasing system he was; and therefore the man, the ordinary man—I do not mean the barefoot boy or the penniless homesteader, but a man of ordinary means, with energy and ambition, and my friend has seen many a man who had the enterprise and a great deal of energy and ambition to build up—would have an equal opportunity? It has been the hope that the leasing system would give that man a better chance than the system under which he had to pay a very high price for the property in which he invested.

Mr. FERRIS. I fear the gentleman is taking up the whole of my time. The answer to the gentleman's argument is that this one company, this one man, can only have one lease, and no more, and he can not transfer it without the approval of the Secretary of the Interior, and we have a right to assume that the Secretary of the Interior will not permit dummies or fraudulent transfers and let one company rent it all. This is perfectly safe, perfectly wholesome. It has been approved by everybody.

Now, further, the Bureau of Mines and the Geological Survey and the Secretary of the Interior and every arm of the Government that has had anything to do with the operation of coal lands had to do with the drafting of this, and each and every one recommended it, and everyone asserted that it would kill monopoly, get revenue for the Government, and keep one coal operator from occupying the whole country; and I think with that in mind it ought to be adopted.

This bill passed the House four years ago and two years ago, and we have not changed it one iota. The gentleman from Wisconsin [Mr. COOPER], the gentleman from Illinois [Mr. MANN], and the gentleman from Wisconsin [Mr. LENROTH], and all the sharpshooters on this side combed it from line to line, and no change was made, and it was introduced as it passed then, and while the gentleman from Wyoming may be right about it, I think we are safe in standing with all the authorities and the ex-Secretary of the Interior and the present Secretary of the Interior.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having taken the chair, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On May 16, 1918:

H. R. 8753. An act to amend section 3, title 1, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes.

On May 22, 1918:

S. 3911. An act authorizing national banks to subscribe to the American National Red Cross; and

H. R. 10264. An act to prevent in time of war departure from or entry into the United States contrary to the public safety.

On May 23, 1918:

S. 2123. An act to regulate the practice of podiatry in the District of Columbia; and

H. R. 11628. An act to amend an act entitled "An act to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys of the District of Columbia," approved September 25, 1914.

EXPLORATION FOR COAL, PHOSPHATE, OIL, GAS, AND SODIUM.

The committee resumed its session.

Mr. RAKER. Mr. Chairman, I want to oppose the motion of the gentleman from Wyoming. I want to call the attention of the gentleman from Wisconsin to one or two matters. He referred to the fact that potassium was omitted from the bill.

Mr. COOPER of Wisconsin. I said sodium.

Mr. RAKER. The same thing; they are synonymous. I am surprised to hear the argument of the gentleman from Wyoming which he just made in the 15 minutes given him and the 10 minutes he took in answering the question of the gentleman from Wisconsin. I do not know of a Member on the floor raising the question or discussing the proposition of corporations until the gentleman stated that he was afraid the corporations would control the coal, oil, gas, phosphate, and sodium. I want to call the attention of the committee to the fact that this is the first piece of legislation that has ever been brought in that I have been able to find in regard to the disposition of the public lands in this country wherein a corporation is given the right to participate as private individuals under the law, and up to this time no man has raised his voice against it, nor has he moved to strike out the provision as to corporations being given the same rights as individuals.

What is the matter with you? Why have you been asleep for five years and then at the last instant come out and say that corporations are going to control this, when the very bill, in the very first section, that passed this House two years ago a corporation is given the right to participate under this law, and never up to this time has Congress ever been afraid that it was passing legislation to give corporations the right to obtain lands—desert lands, homestead lands, or lands of any other kind. It is a late day now to say that if this bill is workable under the existing law—and we believe it is—that there will be a monopoly. There is going to be no monopoly. The statement that monopoly is going to take the public lands under the just provisions of the bill, when you in the first section give corporations the right to participate in the public lands, it seems to me is a little late in the day.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. RAKER. I can not yield for a minute, as I have a thought and I want to get it out. [Laughter.] I tried to get an amendment before the committee, and I shall read it:

Or to any corporation organized under the laws of the United States or of any State or Territory thereof.

I tried to get an amendment adopted in the committee to that effect, and this is the first time that we have ever permitted a corporation to deal in the public domain of the United States. That corporation might be organized by aliens and have only one or two citizens of the United States. The entire stock might be held by foreigners. No, sir; they would not admit it, and it is a little late now to be talking about corporations controlling our public domains. I want to say to you, as a matter of fact, that if a corporation is permitted under this bill it is all right under the rules and regulations, but there ought to be a provision in here that no corporation that is controlled or owned by a board of alien directors or stockholders should obtain these great valuable deposits of coal, oil, phosphate, and sodium.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. MONDELL. Why did not the gentleman have an amendment of that kind adopted?

Mr. RAKER. I offered it in the committee and was unable to get it adopted.

Mr. MONDELL. The gentleman is no more fortunate than I am in getting good amendments adopted.

Mr. RAKER. What strikes me now is that when the members of the committee and other Members of the House allow an amendment like that and give corporations the right to obtain these valuable leases under the Government when we have legitimate provisions to protect the matter they begin to raise their voices and say that corporations are going to control these properties.

Mr. MONDELL. Is the gentleman addressing his remarks to me?

Mr. RAKER. No; I am not.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. CRAMTON. I am not sure that I understood the gentleman's exploitation of the thought which possessed him. Do I understand the gentleman claims there is anything in this bill that will permit a corporation to get title to lands?

Mr. RAKER. Leases.

Mr. CRAMTON. But not title?

Mr. RAKER. No title.

The CHAIRMAN. The time of the gentleman from California has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Sec. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than \$1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Remembering my promise not to embarrass this much-embarrassed committee by offering amendments, I rise to discuss the bill and suggest modifications that might be acted upon in conference, and I want again to call the attention of the committee and of those gentlemen on both sides who will be conferees to the proviso contained in this section to the following effect:

Provided, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal.

That is a provision authorizing the Secretary of the Interior to allow coal mines to be closed down upon the payment of a certain royalty. It is a very dangerous provision and is entirely unnecessary. There should be a provision, however, to take the place of that provision or to meet the contingency which that provision was intended to meet. There are conditions when the state of the market is such that mines can not be continuously operated to their full capacity, and if, in line 2, on page 33 of the bill, after the word "mines," the words were inserted, "so far as the condition of the market shall warrant," you would then have a provision which will guide the Secretary of the Interior in the exercise of his discretion relative to the continuous operation of the mines. Secretaries of the Interior, I am sure, always want to be honest, and I hope they always will be honest, and I hope they will never be misled. But there are people in the world who are charged with dishonesty who are honest, and there are very good men who are sometimes misled or misinformed. We should have no provision in the law whereby a mine may close down and be sealed when there is a market upon the payment of a nominal sum in lieu of royalties. Provision should be in the bill under which a continuous operation must be had so far as the condition of the market will warrant.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CRAMTON. Would not the gentleman's own amendment make it possible for one of these monopolistic corporations, which he has spoken about, to go into an area and get hold of the coal property before there was really a market available for it and hold it without operation—simply speculate on the future—and shut out anybody coming in who really wanted to develop the property?

Mr. MONDELL. Not at all.

Mr. CRAMTON. Because the gentleman makes it possible to suspend operations dependent upon the condition of the market.

Mr. MONDELL. That is the condition under which operations must necessarily be reduced or suspended. You can not get away from an economic law by all of the words you may write into your statute book.

Mr. CRAMTON. Instead of putting it in the hands of the Secretary of the Interior to determine when this thing shall be, the gentleman puts a clause in there of such vague and wide meaning that it may let a great deal of evil develop.

Mr. MONDELL. The gentleman does not understand the amendment at all. He has not noted the point in the bill at which this comes or he would have known that my amendment left the whole thing in the hands of the Secretary of the Interior. The Secretary determines to what extent these mines shall operate. He is the man who determines whether strikes, accidents, unavoidable conditions warrant the closing of the mine. This will be just another one of the conditions, entirely under the control of the Secretary of the Interior. Of course, if the Secretary of the Interior was a fool or a knave you might have an unfortunate condition under that kind of a provision, but you would be much less likely to have an unfortunate condition than you would with a provision under which a mine may be sealed up without regard to the condition of the coal market.

Mr. MADDEN. Will the gentleman yield?

Mr. MONDELL. The Secretary of the Interior ought to be in a position to compel operations just as far as the market will allow the coal to be used.

Mr. MADDEN. Will the gentleman read just how the language would appear with his amendment in it?

Mr. MONDELL. "Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines so far as and to the extent as the condition of the market shall warrant," or words to that effect.

Mr. MADDEN. Under supervision?

Mr. MONDELL. That all follows, put under supervision of the Secretary of the Interior, who supervises and determines all those conditions.

Mr. MADDEN. And he would have the power to compel the operation of the mines if the market justified it?

Mr. MONDELL. Up to the limit, and not only would that provision take the place of the sealed-up provision, but it would give the Secretary authority that he now has not in the bill to compel production up to the point of the absorption of the market.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PARKER of New Jersey. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. PARKER of New Jersey: After section 7 insert a new paragraph, as follows:

"And, in the discretion of the Secretary of the Interior, any such lease may provide that out of surplus earnings, if any, accumulated in excess of a specified rate of return upon the net investment of the lessee in any mine under lease, the lessee shall establish and maintain amortization and surplus reserves, which reserves shall, in the discretion of the Secretary of the Interior, be held until the termination of the lease, or be applied from time to time in reduction of the net investment. Such specified rate of return and the proportion of such surplus earnings to be paid into and held in such reserves shall be set forth in the lease, and any such lease may further provide that the rest of such surplus earnings shall be annually divided and paid among the purchasers of coal according to the amount paid in by each purchaser in the year, which dividend and payment may be made in scrip bearing interest if such profits have been used in permanent improvements or held as surplus."

Mr. FERRIS. Mr. Chairman, I reserve the point of order on that.

Mr. PARKER of New Jersey. Mr. Chairman, in the water-power hearing it was recognized by the Secretary of the Interior that in any project for water power, just as in any mining, there might be exorbitant profits. I have known mines that are now paying a thousand per cent, more or less, because of the rise in the price of the commodity. It has always been my idea that in leasing a mine, as in leasing water power, the Government ought to protect the public by having the rates made so low that they would not reap an exorbitant profit, but only a fair profit and that when the party has made, we will say, 25 per cent—make it as liberal as you please—a really large profit—that every-

thing above that large profit should be paid back in the way of dividends to men who purchase the coal or, in the case of water power, to the men who hire the water power. The Secretary had a little different idea. He believed in limiting the profits to a fair return, which is all the party should have, but above that fair return he would apply the surplus in amortization; that is, in paying back the fund that was invested. The difficulty is this: On a 20-year lease 3 per cent a year, which is a small amount, will amortize the whole capital of 100 per cent within 20 years. On a 30-year lease in Canada 1.8 per cent has been found sufficient to return and amortize the whole project in 30 years. In Canada they provide in their leases that the rates shall be reduced so that no more than the ordinary expenses and the amortization fund shall be charged.

Mr. RAKER. Will the gentleman yield?

Mr. PARKER of New Jersey. In a moment; when I have completed this sentence. My proposition therefore is—it does not bind anybody, it simply seeks to get this question into the bill—my proposition is that the Secretary of the Interior in proper cases may provide for an amortization fund out of the surplus profits; may provide what shall be a fair return; that is already in the Secretary's proposed amendment as to water power. My proposition also provides that any surplus profits above this shall be returned to the consumer as a dividend, which is practically a reduction in the price of coal. I now yield to the gentleman from California.

Mr. RAKER. The gentleman's point of view there is that this bill should provide for authorizing the Secretary of the Interior to fix the rate and the amount of charge that the company could fix to its customers?

Mr. PARKER of New Jersey. No; my proposition is that the price should be fixed automatically, so that if the lessee should make a large profit—a cumulative profit, if you please, up to 25 per cent—that then he shall reduce the price of coal by rebate or dividends, but not seeking an exorbitant price so as to make an exorbitant profit. I hope the gentleman from Oklahoma will allow this amendment—and this is only provisional—to go into his bill so that it could be placed before the Senate and in conference.

Mr. FERRIS. Mr. Chairman—

Mr. MADDEN. Mr. Chairman—

Mr. FERRIS. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MADDEN].

The CHAIRMAN. Does the gentleman from Illinois rise in opposition to the amendment?

Mr. MADDEN. Yes.

Mr. Chairman, I would like very much to be able to agree with the gentleman from New Jersey, but here we have a bill that proposes to lease to private owners coal properties, and authorizes the Secretary of the Interior to fix the royalty rate per ton of coal mined, and the amendment of the gentleman from New Jersey proposes to authorize the Secretary of the Interior to direct the man who invests the money in the coal mine as to what he is going to do with it. So you have him coming and going. You could not get a man to invest a dollar in a coal mine under a lease with this provision in it. And why should the Secretary of the Interior have the right to say how much the owner of the mine under the lease shall put to surplus? If he has any good business judgment, he will know better what to do than the Secretary of the Interior, and if he is compelled by any condition or terms of the lease to charge such a price for coal as to enable him to pay dividends, and then create the surplus and amortize his capital, he will be charging more to the consuming public for coal than they ought to be obliged to pay. So I hope the amendment suggested by the gentleman from New Jersey [Mr. PARKER] will not be given serious consideration.

I think where a man invests his money and is compelled to pay the price the Government fixes for the privilege of operating a mine, that he should at least be given the right to charge the market price for the commodity he produces under the lease, and that he ought to be permitted to exercise his wisdom in the disposition of the profits, if there are any profits when he gets through paying the Government and the cost of operating the mine, as he thinks best. I have never seen a proposal exactly like this submitted for the serious consideration of a body of intelligent men who are supposed to be considering the development of the public domain, with a view to supplying the needs of the people. And I certainly hope that there will be wisdom enough manifested by those in charge of this bill to either have the provisions suggested stricken out on a point of order or that there will be votes enough in the House to defeat it if it comes up for consideration on its merits.

Mr. FERRIS. Mr. Chairman, I know how well informed and how earnest the gentleman from New Jersey is, and how keenly he feels about the matter. But I want to call attention to some

somber facts, which I think will make him doubt the advisability of adopting such an amendment.

Prior to 1873 coal lands passed into private ownership under the agricultural land laws. The man who homesteaded the surface took the coal with it. Subsequent to 1873 they provided a sale plan and sold the coal land at the flat rate of \$10 an acre. There were many objections to that policy. Since 1907 they have been sold pursuant to appraisement, and it has run as high as \$500 or \$600 an acre. Under that plan 4,267 coal entries have been made, aggregating 610,516 acres. Now, the total coal area in the United States is 53,000,000 acres, a tremendously large body of coal, and there are some 4,000 companies operating on 610,000 acres, which is a very small part of the aggregate. Now, if you pile onto this law such onerous and such cumbersome provisions as to require them to amortize and to require the Government to divide their surplus earnings, my thought is that we would not get any leases and they would resort to the old plan, and I am afraid that the amendment of the gentleman from New Jersey [Mr. PARKER], though well and earnestly intended, would operate to defeat the thing we want to do. So I ask for a ruling on the point of order, and if it is overruled I ask to have the amendment voted down.

Mr. PARKER of New Jersey. Mr. Chairman, there is nothing onerous about this. If I establish a coal mine on condition that I can make 25 per cent every year of all that I put in, but that I shall not make any more, and must reduce the price of coal to my consumers so that I shall not get more, that is fair. If I lower my price so as to get no more, it is right I should get the limited per cent a year. That is the kind of lease this amendment provides for.

Mr. MADDEN. Will the gentleman yield?

Mr. PARKER of New Jersey. In a moment.

What we want to avoid is a condition similar to this: I know at least of one mine, that I do not want to name, where the value of ore has gone up in the last five years from \$5 to \$60 because no other mine in the world can furnish as good ore, and the result is they are making several hundred per cent a year.

Mr. MADDEN. Is that a copper mine?

Mr. PARKER of New Jersey. No. I am not mentioning the mine. Under those circumstances the protection of the public demands that a fair limit of return should be established, as suggested by the Secretary of the Interior, and that the amount of the profits should be reduced so as to give only a fair return.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. PARKER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. ROBBINS. Mr. Chairman, wait a minute. I have an amendment there.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. ROBBINS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 33, line 16, at the end of section 7 insert:

"Provided, That the amount of advance royalty so paid shall be credited on royalty accruing under the said lease in any year during the remainder of the term."

Mr. ROBBINS. Mr. Speaker, this bill is founded, I think, on a mistaken basis, that of leasing instead of selling the right to mine coal; but I do not wish to waste any time in discussing that feature of the act. The coal interests of the United States can not be developed on a leasing basis if we wish an economic production of coal, as well as it can be, on a sale basis. Now, this section provides for the minimum rental of 2 cents a ton, which, of course, is a ridiculously low rate, but that is only a minimum to start with. Rentals in the older States have advanced until there are sometimes leases made in Pennsylvania to-day of 52 cents per net ton. Probably these new leases will come up to that value; at least I hope they will. Now, there is a provision in this section that there should be a fixed rental on the land, but no minimum on account of the coal royalty. There is also a provision that this lease is to be readjusted every 20 years—that is, it is to be renewed every 20 years—and that the Secretary of the Interior has a right to change entirely the terms of the lease as to payment of royalty. And there is a provision in the proviso in section 7 that will work a great hardship upon the lessee, because this bill, which ought to be prepared for the purpose of promoting and encouraging the interests of the mining industry on the public lands of the United States, while in fact it is contrary to the purposes it is proposed to accomplish. And one of the essential provisions that ought to be here is lacking for the protection of a lessee, who has to go on these coal lands, explore them, put all the improvements on them, and take all the risk, and pay a royalty to the Government whether he mines coal or not, because in its present form he has no protection whatever in case of dull times and suspension of mining

operations. The only protection he gets here is from strikes, explosions, and matters beyond his control. But coming from a mining region as I do, I know there are whole periods of the year when operators can not sell the coal mined because of dull markets. At such times the mining is suspended.

Under this bill you propose to have operators pay a minimum royalty. How will that work out? The royalties under these leases will not be less than 5 cents a ton. There are three things in every coal lease that must be provided for: A minimum output per year and a minimum royalty per ton; and there ought to be another provision that is not included in this bill, to wit, a minimum amount of coal to be recovered per acre.

Now, under the terms of this lease, for illustration, take a lease at the rate of 5 cents per ton, and 100,000 tons, and you will have \$5,000 per year royalty accruing for coal that ought to be mined under the lease. If dull times come on or depression of business occurs or lack of markets prevail you compel your lessee to pay \$5,000 to hold his mine, in addition to losing the investment on his property, and in addition he has to pump his mine, if it is a pumping proposition; and he has to have it guarded and protected if it is an open mine, even if it is a drift proposition, and must ventilate and pump the mine.

Now, the Government ought not to compel the lessee to pay that \$5,000 royalty and get nothing for it. All the leases that I have knowledge of—and in our section of Pennsylvania, where we have many leases, I know something about it—contain this provision for the protection of the lessee, that when his mine is closed down for any cause he shall have the right to mine out coal in the future to the extent of the royalty he must pay as a minimum in advance and have it credited on the coal that he mines out.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ROBBINS. Therefore I say to Members of this House who come from the West, where this coal land is situated—we have no public land in Pennsylvania—I am only seeking to cast some light from experience in the older mining community upon a plan of development of a new mining community, for the sake of aiding in bringing about what I think is intended to be accomplished by this bill, which is to encourage the development of coal lands in the newer States and on the public domain. A lessee in entering upon this domain, unexplored as it is, with the coal somewhat broken up and not persistent as to vein or level or to stratification, as it is in the older States, especially in Pennsylvania, will be confronted with an initial expense that will be startling and that will prevent the development of the coal lands, because if he has to go onto the coal field and drill it with diamond drills to determine its dip and persistency and extent he ought to be in some way protected from the minimum payment of royalty from which this bill does not propose to authorize the Secretary of the Interior to protect him in the covenants of the lease.

Therefore, Mr. Chairman, I say that this amendment that is offered now does not work a hardship upon the Government, because the Government will be paid for every ton of coal that is taken out under the lease, but it works a great saving and is a great protection to the lessee who must invest all the money in the development of the property; the lessee must develop it; otherwise it is undeveloped and unproductive and without value. He is entitled to be recouped for the minimum royalty he must pay, while he can not operate the mine during the times of business depression or business stagnation.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. FERRIS. Mr. Chairman, I hesitate somewhat to debate a proposition with a gentleman who, I know, is familiar with the coal-mining business. I am not a practical coal miner in any sense of the word. I may be wrong and the gentleman may be right about it, but—

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. The gentleman will hear me just a minute. On page 32, lines 23, 24, and 25, I find this language in the bill:

Except that such rental for any year shall be credited against the royalties as they accrue for that year.

Mr. ROBBINS. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. FERRIS. In just a moment. I know what is in the gentleman's mind.

Mr. ROBBINS. That does not apply to what I am talking about.

Mr. FERRIS. I understand; I think I know what I am talking about. Now, these advance rentals and advance royalties, if they shut down for a year, can all come in under that head, and, in addition to that, they are excused altogether, first, if there be strikes; second, if the elements interfere; third, in case of any casualty not attributable to the lessee shall occur.

Now, what the gentleman from Pennsylvania wants to do is to allow the coal companies to shut down for reasons other than these—these are pretty liberal—for 5, 10, 15, or perhaps 20 years. Under his amendment there is no limit, as I heard it; and then if any rental is paid by them during that interval, they revive the whole lease and bring this rental forward and perhaps pay rental without mining anything for several years. That allows the coal company, in a way, to cold storage its holdings, perhaps allowing people to suffer for want of coal, and no one would really want to do that. Let me repeat. We limit it to one year. Any royalties or advance rentals to keep the lease alive for that year can be credited against the total royalty paid, but we do not cover it over a group of years. And even beyond that, if strikes or labor troubles interfere or the elements interfere or casualties not attributable to the lessee—which, it seems to me, covers everything—he is excused from anything. I think that that is all we should do.

Mr. MADDEN. So that under every reasonable expectation the operator of the mine is credited, under the terms of this bill, for any advance payments that he may make?

Mr. FERRIS. Yes.

Mr. MADDEN. Or relieved from payments entirely if the mine should be closed down for any cause over which he has no control?

Mr. FERRIS. That is it.

Mr. MADDEN. I think that is liberal enough.

Mr. ROBBINS. Mr. Speaker, I move to strike out the last word. Either the gentleman from Oklahoma [Mr. FERRIS] entirely misapprehends the terms of this bill or else I do. Now, let us understand where we are at. There is no use in talking if we do not know what we are talking about. I read from page 32, beginning at line 17:

At such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than \$1 per acre for each and every year thereafter during the continuance of the lease—

That is the rental that the lessee pays for the land itself. Leases frequently contain that provision—so much per ton for the coal mined, and \$1 per year for the rental of the premises, to make the lease a good and binding one, by providing a valuable consideration—except that such rental—

What rental? Why, the dollar a year. To quote line 24—
for any year shall be credited against the royalties as they accrue for that year.

I am not speaking about rental at all. I am speaking about the minimum royalty that will be contained in this lease, and I can illustrate it by a very common illustration. If the minimum tonnage is 200,000 tons per year and the minimum royalty is 5 cents a ton for coal mined that means \$10,000 of royalty to be paid each year.

Mr. FERRIS. There is no minimum tonnage, which disposes of the whole argument the gentleman has been making.

Mr. ROBBINS. These gentlemen have been asserting here from the time this bill came up that the Secretary of the Interior had the power to make these leases and provide rules and regulations over them, and no Secretary will make a lease that does not have a minimum tonnage in it.

Mr. ELSTON. Diligent operation.

Mr. ROBBINS. The "diligent-operation" clause would not cover it, because you could put in a wagon that could haul half a ton of coal at a trip, and make 50 trips a day and that would be 25 tons a day; whereas the mine wagon that ought to be put in would hold 3 tons. Yet this might be "diligent operation." That does not mean anything. The term is indefinite. A coal lease will contain three specific provisions if drawn by a man who understands the coal business. The lease must contain first a minimum tonnage of coal per year; second, it must contain a minimum output of tonnage per acre; and, third, it must contain a minimum royalty payment whether the coal is actually mined or not. When the peace-at-any-price people, during the time of the Civil War, presented a paper to Lincoln for him to sign he said he would sign any kind of a paper if it had at the top of it the statement that the "Union must be preserved." If you put those three provisions into a coal lease, I do not care what you put in otherwise. Of course, the lease will be guarded

by provisions as to the width of the entries and the size of the room pillars to be left, so that the remaining coal can be worked, and what drainage and ventilation passages shall be left open, and the right of entry and survey at any time by the owner without regard to permission from the lessee. All those things will be covenanted for, but the three provisions which I have spoken of will be inserted in every coal lease. Now, where is there in this bill anything to allow the lessee who works this coal and who has to shut down because of dull times or a panic to be recouped for the royalty that he will be compelled to pay, under the terms of the lease? What is to relieve the lessee from these hard covenants of his lease? Here are the things that he is excused from under this act, and we have them in our leases: "Strikes, lockouts, explosions, and other causes beyond his control." Those words are on the letterhead of every bill of every coal company that is sent out. This act provides for but few grounds of relief, page 33, line 3, "strikes, the elements, or casualties not attributable to the lessee."

This bill provides that the lease shall be for indeterminate periods, and then it is fixed at 20 years. That would be a determinate period. That seems to be a contradictory way of expressing it. And it shall be—

upon condition of diligent development and continued operation of the mine or mines.

Diligent operation is a question that the courts will have to decide. Why it should be put in that indefinite way I do not know. "Continuous operation" is a term that must be construed by the ordinary usages of the mining region in which the mine is located. Now, here are the exceptions that the committee in charge of this bill retreats behind so quickly:

Except when such operation shall be interrupted by strikes—

We all know what that means.

The elements, or casualties not attributable to the lessee—

Which means floods or explosions or fire. And then what else?

And upon the further condition that at the end of each 20-year period—

The lease "shall be readjusted."

Mr. MADDEN. Will the gentleman yield for a question there?

Mr. ROBBINS. Yes.

Mr. MADDEN. The gentleman does not contend that under that provision it would be possible for the Secretary of the Interior to insert a clause in the lease that would compel the operator of the mine to pay a royalty while the mine was not operated for reasons beyond his control, does he?

Mr. ROBBINS. Yes; I do. A panic is beyond a lessee's control, but it will stop mining operations.

Mr. ELSTON. Casualties—

Mr. ROBBINS. The courts have defined what casualties in a mining operation mean. They mean accident, explosion, fire, or a strike. Those are the things that are specified. It does not provide for the contingency I am referring to, namely, business depression.

Mr. ELSTON. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. I ask unanimous consent for five minutes.

Mr. FERRIS. I ask unanimous consent that at the expiration of 14 minutes, debate on this amendment and all amendments thereto be terminated.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of 14 minutes all debate on this amendment and amendments to the amendment be terminated. Is there objection?

There was no objection.

Mr. ROBBINS. I will yield to the gentleman from California.

Mr. ELSTON. In commenting on the phrase inserted in the lease, "diligent development and continuous operation," the gentleman said the interpretation of those words would be up to the court.

Mr. ROBBINS. Certainly it would.

Mr. ELSTON. In the jurisdiction with which the gentleman is familiar would the contingency of a dull market be construed by the court as an excuse for not using diligent development and continuous operation?

Mr. ROBBINS. No. I will illustrate to you what those terms mean. We have certain mines in Pennsylvania where the coal is shipped entirely to the Lakes for transportation by water to the Northwest. During the winter season these mines are closed. That is "continuous operation" in this region, because you could not ship coal when navigation is closed. These terms are construed with reference to the usages of the region where the mines are located.

Mr. ELSTON. I get the gentleman's idea, but referring to the bottom of page 40, it says the Secretary of the Interior is given authority to insert general provisions which may cover

such contingencies as the gentleman mentioned. Will the gentleman look at that and say if possibly the Secretary of the Interior might consider a particular locality and insert provisions to cover the cases such as the gentleman has stated?

Mr. ROBBINS. Mr. Chairman, I have read over the bill and noted what the gentleman specially calls my attention to on page 49. I have never known a coal lease—and it has been my very good luck to be pretty intimately connected with them on both sides, both as owner and lessee, for a good many years in Pennsylvania—and every coal lease I have known which was regarded as fair, when it came into the court for interpretation has contained provisions for protecting the lessee against forfeiture for failure to pay the minimum royalty payments. If he continued to operate under the lease and observed the covenants, he has always been given an opportunity to mine coal free to the extent of the advanced royalties paid. Some leases, I admit, provide that in "the succeeding year" the lessee shall have the right to have credited on the coal mined for the advanced royalties paid, limiting it to one year. I did not insert this in the amendment proposed because this is a legislative proposition, and the Secretary of the Interior ought to be permitted to work out these details and have a certain latitude in doing so.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. TAYLOR of Colorado. Does not the gentleman think he ought to put some limitation on it—he would not allow them to put a mine in cold storage for 25 years?

Mr. ROBBINS. That is absolutely impossible. That suggestion was made by the gentleman from Oklahoma; the cost of carrying a mine, interest charges, and so forth, would prevent this.

Mr. TAYLOR of Colorado. Does not the gentleman think we ought to have some limitation on the time?

Mr. ROBBINS. This lease, if you will bear with me a moment, will contain all the covenants to protect the ownership of the United States. It will require the lessee to mine a minimum amount of coal each year. It will require him to work the mine in a workmanlike manner, according to the surveys and plans of experienced mining engineers, and when that is done payment of royalty for the coal mined is required at the end of each succeeding month—30 days after he removes the coal out—which is a hardship and is never enforced in Pennsylvania. The payment of royalties every three months is the usual and ordinary covenant of a lease in reference to the payment of royalty. I am not objecting to that, but I say if you are going to encourage development of these lands you must hold out every encouraging inducement to the lessee who invests the money and installs the initial plant and opens up the mine, and who should have protection and be assured that he can not be compelled to pay a minimum royalty whether he can operate the mine and mine out the coal or not.

Mr. MONDELL. Mr. Chairman, if I believed that under this bill the Secretary of the Interior was authorized to fix a minimum coal output and base a minimum royalty on such an output, then I should want the amendment of the gentleman from Pennsylvania adopted, but there is nothing in the bill that by any possible construction would authorize the Secretary of the Interior to fix a minimum output and charge a royalty on it, whether that output was realized or not. In the present stage of coal development in the West, and in view of the fact that in much of our country the mines can only be operated a part of the year, the lignite mines during the winter and spring and fall, it would not be wise, in my opinion, to give the Secretary that authority.

An amendment which my friend suggests and which applies to conditions in Pennsylvania, where private owners do compel in their leases the lessee to mine annually a certain tonnage and the payment of royalty on that output, would under such conditions be entirely proper. But this law does not authorize the Secretary to do anything of the sort.

Mr. ROBBINS. That is a question. Where is there any provision in the bill that prohibits the Secretary from inserting such a covenant?

Mr. MONDELL. The Secretary can do nothing other than make rules and regulations in accordance with the provisions of this bill. He can not put a provision in the bill calling on the lessee to do or perform anything or make any payment other than is provided in the bill. The provisions as to what he shall pay are definite—he shall pay a royalty and a certain rent per acre, and, of course—

Mr. ROBBINS. What is the use, then, of the provision in line 2, page 33, that says that certain things shall be excepted from the operation of the mine, such as strikes, casualties, and so forth. Why should you have any exception at all if he is not going to be required to mine a minimum amount of coal?

Mr. MONDELL. It is absolutely necessary that the Secretary shall be authorized to compel continuous operation, which, as the gentleman from Pennsylvania has just suggested, may not mean operating continuously every day throughout the year in every case—continuous operation under conditions surrounding the mine.

It is entirely proper that the lessee should be guarded against the requirement of operation when the mines close down through causes over which he has no control, but the Secretary has not any authority in this bill, nor do those who know the situation in the western country desire that he shall have any authority in this bill to insist upon or provide for a minimum output.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ROBBINS. Mr. Chairman, I ask unanimous consent that the gentleman may have two minutes more.

The CHAIRMAN. Debate has been closed upon this amendment.

Mr. STAFFORD. Mr. Chairman, I would state that the gentleman from Michigan [Mr. CRAMTON] desires some time. I suggest that the time be extended five minutes.

Mr. FERRIS. Very well. The gentleman suggests that we extend the time for five minutes and that will take care of the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Pennsylvania [Mr. ROBBINS].

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend the time for five minutes. Is there objection?

There was no objection.

Mr. ROBBINS. Mr. Chairman, if, as the gentleman from Wyoming [Mr. MONDELL] has argued, the Secretary of the Interior has no power to put in a minimum requirement, then the amendment I propose would be a precautionary and safety amendment only. What is the objection to its adoption, then, even on that ground, though I do not agree with the gentleman?

Mr. MONDELL. The gentleman's amendment then would immediately raise the assumption, it would be practically conclusive of the right of the Secretary to do that thing which we do not desire to give him the right to do, because when we provide, as the gentleman suggests, that minimum royalties may be paid from subsequent mining or output, that provision must be made and necessarily made upon the assumption that he has the power to fix such minimum.

Mr. CARTER of Oklahoma. Is it not a fact that we have in effect in this bill a minimum production clause, with reference to the 25 cents and 50 cents and \$1 per year rental.

Mr. MONDELL. In a way that is intended to take the place of, we may say, a requirement for minimum production, for if the mine is closed down or the output is reduced the lease runs on and there is a certain amount that must be paid in any case.

Mr. CARTER of Oklahoma. A man has to pay the rental regardless of production, but when the coal is produced he can apply the amount he has paid in on the royalty.

Mr. MONDELL. Within the year.

Mr. CARTER of Oklahoma. Within the year.

Mr. CRAMTON. With all due respect to the gentleman from Pennsylvania [Mr. ROBBINS], my study of this section makes me believe that his knowledge of conditions in Pennsylvania has led him to read into this section something that is not there, and as a result he has offered an amendment which will not accomplish what he desires to accomplish. Omitting the proviso on page 33, section 7 provides for three things: First, the payment of royalties, not in advance, but at the end of each month, a minimum of 2 cents per ton, and there is no minimum production required; second, an advance rental each year with a minimum of \$1 an acre after a certain period; and, third, a continuous operation of the mine is required, otherwise there may be a forfeiture of the lease, except in certain contingencies. The proviso brings in an alternative by which in lieu, not of rentals or of royalty, but in lieu of such continuous operation of the mine there may be required an annual advance royalty. And of how much? Not less than the amount of rental—\$1 an acre. The gentleman's amendment is to come in at the end of that proviso, and would simply affect that proviso. That proviso is nothing that is going to complicate things seriously, it will create no injustice; but even if it were, the gentleman's amendment is not in shape so that it would correct anything. He assumes that because leases in Pennsylvania with which he is familiar have contained a provision for an advance royalty of several thousand dollars an acre, that this section contains it or provides for it. On the contrary, instead of its appearing that there is a requirement for an advance royalty, the proviso gives the inference that there is not to be. It provides that in lieu of the continuous-operation requirement there may be an advance royalty, but if the continuous-operation provision is

retained, then there is not to be an advance royalty based on minimum production. It seems to me the gentleman has misread the section. Personally it seems to me that it is not to the interest of the Government to be too free about letting these mines lie idle for parts of each year, and thereby diminish production and inflate prices.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

The Clerk read as follows:

Sec. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their own personal use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporation: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 160 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

Mr. RAKER. Mr. Chairman, I move to strike out in line 22, page 33, the words "own personal," after the word "their" and before the word "use."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 22, strike out the words "own personal."

Mr. RAKER. I just want to say one word to the committee in respect to it. This is clearly an oversight. That should read "and take for their use but not for sale."

Mr. FERRIS. Mr. Chairman, the committee will accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Before we leave the coal provisions of the bill I want to call attention to some of the provisions of this legislation that, in my opinion, ought to be modified. I want again to emphasize the objection to the plan of leasing by bidding, by competition. What I am saying may fall upon dull ears, on ears that do not heed them, but I am so impressed with the error, the mistake that is being made in basing leases on the bidding system, that I feel it my duty to continue to express my views on that subject. We may adopt such a policy, but very early in the development of the policy we will discover that we failed to secure what has been claimed as one of the great benefits of the leasing system; that is, freedom from the very great load of investment which would be necessary under a purchase system. This relief from the necessity of large investment for the land it was claimed would enable the man of limited means to get into the coal and oil business, particularly the coal business. Further than that, by reason of this policy, we will make it entirely possible in certain sections of the country for great companies now operating to practically prevent the opening of new coal mines. They can bid so high as entirely to drive out and permanently discourage additional developments, particularly as there will be no difficulty in dropping a lease after it has been knocked down to one of these high bidders and before the bonus has been paid. In the meantime the operator who has gone in and spent his time and money trying to develop the property, and who has been robbed of it by high bidding, will be discouraged. He will have left the locality probably; will have made up his mind it is useless to try to open new and competing coal mines. I do not think it is intended to establish monopoly; it is not intended to strengthen monopoly already established; but that will be the inevitable result of this policy both in the mining of coal and in the production of oil; but I am afraid we are so wedded, at least the committee is, to this plan that we will have to learn our error by trying it out.

One other thing I want to emphasize before I leave the coal provision of the bill. That is the very great importance of modifying the section we have just read, so as to provide a prospecting permit preceding the granting of a lease. I know that all the bureaus of departments that spend the people's money have, as the gentleman from Oklahoma has suggested, approved this plan. Why, certainly; it gives them a job; it affords them an increased opportunity; it gives them a roving commission all over the public domain upon millions of acres containing coal to go out and explore and prospect and divide up into what was known as blocks, but is now termed tracts, the coal lands of the country. There is no one on earth qual-

fied to determine certain questions except the practical man who is going to mine the coal. Our veins are not regular in any part of the West, either in thickness, in quality, or in dip and position. Our coal lands are generally rough.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I would ask to have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

Mr. FERRIS. Mr. Chairman, reserving the right to object, after which, may we have a vote and debate close? I ask unanimous consent that, immediately following the five minutes requested by the gentleman from Wyoming, that debate on this amendment and all amendments close.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous debate that at the end of five minutes debate upon this amendment and all amendments thereto be ended. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. We have tried this plan of blocking out in Alaska, and I do not think we have been very fortunate or happy about it. We have not secured coal development up there as yet. We are getting no coal up there worth while—no more than could be carried in a bucket. Of course, we hope to have a great development there, and will eventually, but this blocking system has not helped it, and will not help it, but has to some degree hindered it, because it has not given the prospector—the developer—the freedom of opportunity he ought to have to go out in the coal regions and block out his mine himself, study the dip of his vein, the character of the roof and the floor, the point at which the vein may be attacked for economical development, the location at which he can provide for loading and storing, the area that may be utilized for the accommodation of those who are to operate the mine. He must provide for facilities for trackage, and he must, by careful examination and by drifting or drilling, or both, determine the location, extent, and area of the tract necessary for successful development from the point where he proposes to begin operation.

Mr. MAYS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. MAYS. The gentleman refers to the failure of the leasing system in Alaska. Does the gentleman believe it will have any better success in this country, as applied to coal development?

Mr. MONDELL. Well, I try to be hopeful in the face of certainty that we are going to the system, but I do believe it will be a mistake to adopt these provisions in connection with leasing which have not proven to be wise in Alaska.

Mr. MAYS. Will the gentleman yield for another question?

Mr. MONDELL. Yes.

Mr. MAYS. Does the gentleman believe that you could raise sufficient capital to finance a coal proposition where it cost a million dollars to develop the mine upon a leasehold interest?

Mr. MONDELL. Well, I think it would be very difficult to do it in a great many cases, but we must admit that it may be possible to do it. The Congress is proceeding to legislate on this and leasing lines. While we have our doubts and our questionings in regard to the matter, I assume we are going to try it out; but if we do, we ought to do it under a plan and with provisions that will be practical and workable and under which all comers with some means and with energy and with ambition will have an opportunity. We are inviting people into these fields and we ought to make the conditions as favorable as possible. I know perfectly well from some very practical experiences of my own that I would not want any Government agency to go out and attempt to block out a piece of coal land for me to operate under any system.

I would not want to invite the Government to the very considerable expense of doing that. I would very much prefer to go out and do it myself, because I would be responsible for the economical development of that mine, and I ought to take the responsibility of determining where the vein is to be opened, how it is to be opened, and the areas that I believe I can in an economical way mine from a certain point.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

OIL AND GAS.

Sec. 9. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas

well and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet or until valuable deposits of oil or gas shall be discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought, a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits, not more than five in number, may be granted for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet within three years from date of the permit and to an aggregate depth of not less than 2,000 feet or until valuable deposits of oil or gas shall be discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to bills of the following titles disagreed to by the House of Representatives, had agreed to the conferences asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT as the conferees on said bills on the part of the Senate:

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10477. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 11663. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

EXPLORATION FOR COAL, PHOSPHATE, OIL, GAS, AND SODIUM.

The committee resumed its session.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I wanted to ask the chairman of the committee a few questions in regard to this section and incidentally to make a suggestion or two.

I notice on page 34, line 16, that you provide for a prospecting permit. I want to call your attention to the fact that a great many of the tracts of land can not be gathered in one block, and that if you would change that language to "prospecting permits" it would probably be better, and in that way the man would be limited to his acreage of 640 acres or 2,560 acres, although it would not be in one block. There might be several permits issued for small tracts.

And I also want to ask the gentleman this question: On page 35, the first eight lines, you undoubtedly attempt to compel drilling. The language used here on line 4 is:

One or more wells for oil or gas to a depth of not less than 500 feet each, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet or until valuable deposits of oil or gas shall be discovered.

Now, you undoubtedly intend to compel the man to drill, but what do you expect to do if he strikes oil at 300 feet or at any less depth than 500 feet?

Mr. FERRIS. Of course, if that language at the end of line 8, page 35, does not reach that we will have to elaborate it a little. It provides there that unless the oil or gas shall sooner be discovered.

Mr. CHANDLER of Oklahoma. It does not say exactly that. If you should use the words "unless valuable deposits of oil or gas shall be discovered at lesser depth" I think it would correct it.

Mr. FERRIS. I think the committee would accept it if the gentleman has an amendment prepared.

Mr. CHANDLER of Oklahoma. I have not prepared it. However, I offer an amendment, Mr. Chairman, to strike out, in line 7, page 35, after the word "feet," the following words: "or until valuable deposits of oil or gas shall be discovered," and insert "unless valuable deposits of oil or gas shall be discovered at a lesser depth."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CHANDLER of Oklahoma: Page 35, line 7, after the word "feet," strike out the words "or until valuable deposits of oil or gas shall be discovered," and insert in lieu thereof "unless valuable deposits of oil or gas shall be discovered at a lesser depth."

Mr. FERRIS. I think probably the language of the gentleman from Oklahoma improves it. We have intended that same thing. Therefore I have no objection. I think it makes it better.

Mr. STAFFORD. Does not the gentleman think the clause should be placed after the word "permit," in line 6, rather than at the end of the sentence, making it read, "and shall within two years from date of permit"?

The CHAIRMAN. Just a moment; there is some question in the mind of the Clerk as to the tautology of this amendment. Will the gentleman from Oklahoma please repeat it?

Mr. CHANDLER of Oklahoma. To strike out the following words, commencing in line 7, or until valuable deposits of oil or gas shall be discovered."

The CHAIRMAN. That is sufficient. The Clerk has it now. Mr. STAFFORD. The only question is whether the clause would not have a better place after the word "permit," in line 6, page 35, rather than at the end of the sentence.

Mr. RAKER. Will the gentleman from Oklahoma [Mr. CHANDLER] yield?

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. CHANDLER] yield to the gentleman from California [Mr. RAKER]?

Mr. CHANDLER of Oklahoma. Yes; I yield.

Mr. RAKER. Under this provision a man must go down not less than 2,000 feet, unless he strikes a valuable deposit of oil or gas before then.

Mr. CHANDLER of Oklahoma. That is what I am trying to do.

Mr. RAKER. Under the language it now reads, "Or until valuable deposits of oil or gas shall be discovered." If he goes down 100 feet and strikes valuable deposits of oil or gas, he complies with the law. The language here was put in after much consideration by the committee. I can not get the gentleman's distinction. In other words, he must go down at least 2,000 feet, according to the gentleman's idea, if he does not discover anything; but the moment he discovers valuable oil or gas at a depth of 100 feet or 200 feet or 300 feet he complies with the law.

Mr. CHANDLER of Oklahoma. That is what I want to effect.

Mr. RAKER. "Or until valuable deposits of oil or gas shall be discovered." Now, if he can not discover such deposits at 2,000 feet he has got to go down 3,000 or 4,000 or 5,000 feet, which he ought to do.

Mr. CHANDLER of Oklahoma. He can throw up his permit at any time. You will find that a man who drills to 2,000 feet will not quit until he has gone as far as he can. A man who has put that much money in a lease will go on drilling.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LA FOLLETTE. Mr. Chairman, will the gentleman yield?

Mr. CHANDLER of Oklahoma. In a moment. Under the terms of this bill, if you strike valuable oil or gas at 300 feet, you would be compelled to go on down and destroy a good oil well.

Mr. RAKER. Oh, no. The very purpose is that he has got to go down during that two years 2,000 feet, unless he has discovered valuable oil or gas.

Mr. CHANDLER of Oklahoma. I am trying to get the idea of the gentleman.

Mr. LA FOLLETTE. Now, Mr. Chairman, will the gentleman yield?

Mr. CHANDLER of Oklahoma. Yes.

Mr. LA FOLLETTE. Does not the gentleman's amendment make it not positive that he should go more than 2,000 feet? If he does not discover it, he can stop at 2,000 feet and not try to go deeper.

Mr. CHANDLER of Oklahoma. The permit is played out, anyway.

Mr. STAFFORD. If the gentleman will permit, I think the purpose aimed at by the gentleman from Oklahoma would be obtained by leaving the language of the paragraph as it is, but inserting the language of the gentleman after the word "permit" on line 6 of page 35. Would not that carry out the purpose by inserting the amendment at that place and leaving the language as it is, to obviate the objection made by the committee? The language would then read "and shall, within two years from the date of the permit, unless valuable deposits of oil or gas shall have been discovered at a lesser depth, drill for oil or gas to an aggregate depth of not less than 2,000 feet, or until valuable deposits of oil or gas shall be discovered."

Mr. CHANDLER of Oklahoma. I would suggest, if it is in the intention of the committee to insist on drilling on down, if my amendment followed the word "discovered," it would probably clarify the situation still more. What you want is the oil. When the man has discovered it he has complied with his contract and should be permitted to stop.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CHANDLER of Oklahoma. Yes.

Mr. STAFFORD. As I understand, it is the purpose of the committee not to require the prospector to drill in the second year if he has discovered oil in the first 500 feet.

Mr. FERRIS. That is right.

Mr. STAFFORD. But if he has not discovered oil in the first year at 500 feet, it is the idea that he shall keep on drilling during the second year not only to 2,000 feet but beyond?

Mr. RAKER. That is right.

Mr. ELSTON. No. He does not have to go beyond 2,000 feet. He must go on not less than 2,000 feet. If he reaches 2,000 feet he can quit. There is nothing here to require him to drill more than 2,000 feet.

Mr. STAFFORD. That is not the language of the bill which the gentleman has reported. The language requires them to go farther than 2,000 feet if oil has not been discovered up to that distance. It says "not less than 2,000 feet."

Mr. MONDELL. My interpretation of the language is this, that the driller or locator is not required to drill farther than is necessary to make a discovery of oil or gas, and that, on the other hand, he must go on until he does make such discovery, even though he should go more than 2,000 feet. I think what the gentleman desires to reach by his amendment is provided for in the language as it is in the bill. I am inclined to think it is.

Mr. CHANDLER of Oklahoma. I will state to the gentleman that it does not agree with my interpretation of what all the laws pertaining to oil and gas leases are that I have ever heard of.

Mr. MONDELL. It says he shall go to an aggregate depth of not less than 2,000 feet, but until valuable deposits shall have been discovered.

Mr. CHANDLER of Oklahoma. It means that if he does not find it at 2,000 feet he must keep on drilling until he does, and under that the fact is you will find very few men, if any, who

have finances enough to drill oil wells who will go in there and make such contracts.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. CRAMTON. Mr. Chairman, as a substitute for the gentleman's amendment I would offer this amendment: To strike out in line 7, page 35, the words "or until" and insert the word "unless"; and in line 8 to insert the word "sooner" before the word "discovered." Then it would read that he must within the two years drill for oil or gas "to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered." I think that would satisfy everybody.

Mr. FERRIS. Does that cure the defect that the gentleman from Oklahoma had in mind?

Mr. CHANDLER of Oklahoma. That is practically the same thing I have offered, except that I said "at a lesser depth," an expression that is used in practically every oil lease in the United States.

Mr. CRAMTON. The purpose of the committee was to require the man, in diligent prosecution, to go down in two years at least 2,000 feet unless he got oil before. If he got oil before he went down 2,000 feet, then he might stop.

Mr. RAKER. I believe the intention of the committee was contrary to the statement of the gentleman, and I believe he agreed with the bill as it now is, which intends that the man must go down at least an aggregate depth of 2,000 feet. He is going after oil. Now, having gone down that far, he can get an extension of time, and he should not be permitted to withdraw his auger after he has got it down 2,000 feet.

Mr. CRAMTON. The language as it stands in the bill is this: It says that within two years the man must go down to an aggregate depth of not less than 2,000 feet, and until he gets oil. Now, if the oil is down 5,000 feet, he has got to go down that 5,000 feet in two years, and that is not what we meant. We meant that he must go down at least 2,000 feet in the two years unless he gets oil sooner. If he does, then he can stop digging.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. I yield to the gentleman from Oklahoma.

Mr. CARTER of Oklahoma. Does it not really mean that the permittee must drill 2,000 feet, and if he does not continue drilling beyond that the duration of his permit will not continue?

Mr. CHANDLER of Oklahoma. His permit expires at the end of two years anyway.

Mr. CRAMTON. The amendment I have offered makes it clear, I think, that he must within two years do one of two things—either go down 2,000 feet or go down until he gets valuable deposits of oil.

Mr. FERRIS. I think the amendment of the gentleman from Michigan carries out the wishes of the committee, and carries out all that is necessary, and by the aid of the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Oklahoma [Mr. CHANDLER], I am sure we will have all the amendment we need. I ask for a vote.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Michigan, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON as a substitute for the amendment of Mr. CHANDLER of Oklahoma: Page 35, line 7, after the word "feet," strike out the words "or until" and insert in lieu thereof the word "unless." In line 8, after the word "he," insert the word "sooner."

The CHAIRMAN. The question is on the substitute offered by the gentleman from Michigan, which has just been read.

The substitute was agreed to.

The CHAIRMAN. The substitute is adopted, and therefore the original amendment fails.

Mr. ELSTON. I would like to ask the gentleman, in view of the interpretation put upon the words, whether that same proviso should not be inserted after the provision requiring a drilling of 500 feet in the first year.

Mr. FERRIS. I think it should.

Mr. ELSTON. I think it would do no harm at all to repeat it anyway.

Mr. FERRIS. If the gentleman will be good enough to offer it—

Mr. ELSTON. I offer the amendment, Mr. Chairman. After the word "each," on page 35, in line 5, insert the words "unless valuable deposits of oil or gas shall be sooner discovered."

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: Page 35, line 5, after the word "each," insert the following: "Unless valuable deposits of oil or gas shall be sooner discovered."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. SULZER. Mr. Chairman, I move the same amendment be adopted on page 36, line 23.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 36, line 22, at the beginning of the line strike out the words "or until" and insert the word "unless." In the same line, after the word "be," insert the word "sooner."

The CHAIRMAN. The question is on the amendment.

The amendment was considered and agreed to.

Mr. SULZER. Now, Mr. Chairman, in line 20, after the word "feet," the same amendment that was adopted a moment ago should be inserted.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 26, line 20, after the word "feet," insert the words "unless valuable deposits of oil and gas shall be sooner discovered."

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, this legislation is a change from the act of February 27, 1865, as amended July 4, 1866, May 2, 1872, and various amendments up until the act of February 11, 1897, which authorized any person to enter lands under mining laws of the United States and obtain patents to land containing petroleum or other mineral oil, and chiefly valuable therefor under the provisions of the laws relating to placer mineral claims, provided that lands containing such petroleum or other mineral oils which has heretofore been filed upon, claimed, or improved as mineral, but not yet patented, may be held and patented under the provisions of this act, the same as if such filing claim or improvement were subsequent to the date and passage thereof.

Likewise the act of 1903 authorized the consolidation of claims and the subsequent act of March 2, 1911, that in no case shall patent be denied to or for any land heretofore located or claimed under the mining laws of the United States containing petroleum, mineral oil, or gas solely because of any transfer or assignment thereof or of any interest or interests therein by the original locator or locators, or any of them, to any qualified person or persons or corporation prior to the discovery of oil or gas therein, but if such claim is in all other respects valid and regular patent therefor, not exceeding 160 acres in any one place, shall issue to the holder or holders thereof as in other cases.

I simply want to say that we are changing the placer mining law so far as it relates to petroleum, oil, or gas. I can not let this occasion pass without calling the attention of the committee and the House to the fact that notwithstanding there has been more or less litigation, more or less trouble growing out of the holding of the department that the discovery of oil and gas made at a particular time was subject to cancellation by virtue of the reservation, and therefore the man was not entitled to his land, but few people realize that the pioneers that adopted the legislation of the placer-mining law were the actual workers and the developers of the Rocky Mountain and Pacific Coast States.

The placer-mining law, which was made applicable to petroleum and gas, and the men who developed that were the class and character of men in this country that no other country on earth has ever known before. They were the cream of the United States and of the world. [Applause.]

These pioneers made it possible for the adoption of laws that have changed the very face of this country, that have given it better laws and better conditions. Their spirit of progress, their spirit of initiation, their determination to do things which they actually did has done more to advance the cause of humanity and man than any other class of men that have taken any part in our affairs of history.

The sons and daughters, the descendants of these men, are the ones that have been interested in the development of California and the West, who have spent their money and their time in developing these oil properties.

Men have gone on their way to that country who have lost their lives. Many have traveled across the desert wastes without water and without food for the purpose of developing that country.

A MEMBER. How did they get there?

Mr. RAKER. How did they get there? They got there by virtue of their indomitable will and courage. Many a man lost his life on the plains that did not get through; but it is through the work of these men that did get there, to their efforts, that development has been made.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Those of us who have been in that country know it to be a fact that it is through that effort, through the expenditure of their money, through the expenditure of their time that they made it possible to determine that oil exists in that country. Those of us who as young men rode across those plains, where they now have oil, heard everyone say there was nothing there but toads and lizards and sagebrush. To-day they have developed that country, and it is nothing more than right that this Congress in administering the law should give recognition to the honest, bona fide claims of the men who have expended their time and money in the development of that territory. We feel satisfied that the proper adjustment of the leasing law, with proper provisions for remedial legislation, which has been adopted from time to time, will be so arranged that the Government will be protected; that those men who have expended their money will be protected; and that the Government at the same time will have been paid a reasonable and fair royalty upon the oil extracted by those who have used the wells up to the present time. That having been done, all will have been protected, and at the same time they will have been placed in a position where not only the wells now in operation may be used, but every available means and the knowledge of 15 years' experience will be applied to the development and boring of new wells, so that we may be able to supply the present urgent needs for oil in our various war industries, in transportation, mining, and agriculture throughout the Western States.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. RAKER. I yield for a question.

Mr. MONDELL. I am delighted to hear the optimistic expressions of my friend from California. I hope he has a sound basis for his hope and expectations. Of course, the gentleman realizes that the provisions of this bill as they now stand are not a proper basis for congratulation or approval.

Mr. RAKER. They are not rosy or flowery.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word, and I do that for the purpose of expressing the hope that the expectations of the gentleman from California [Mr. RAKER], relative to the satisfactory ultimate character of this legislation, may all be fulfilled. The bill as it now stands certainly does not justify our being enthusiastic about it, but as I have stated before, while I have concluded that it would not be possible to greatly modify the bill on the floor and under the circumstances not wise to attempt it, I hope that later in another body and a smaller one than this, the committee of conference, there may be modifications, adjustments, and agreements that will produce a reasonably satisfactory result.

Mr. FERRIS. Mr. Chairman, no doubt there are Members here who could answer that better than I, and I presume the gentleman from Alaska [Mr. SULZER] might do it better than I, but I think I can give the gentleman reasons satisfactory to him. Alaska is far removed from continental United States. The conditions in respect to the climate there are rough and cold. In addition to that, there is scarcely a well in the entire Territory that yields over five barrels a day. There is no oil production going on up there. The oil development is in its infancy and men at very great hazard and expense and under every sort of adverse circumstance have been putting their money in there striving to develop that area. It was the thought of the committee that we ought to be a little more liberal with them than we could be in a country where we know where the oil deposits are, and where there are gushers and where the territory is well defined and producing millions of barrels.

Mr. ELSTON. And there was also another reason, and that is because the Territory of Alaska is so great. It is as great as any three of four States of the Union, so that five permits to Alaska would not be as much as three to each State of the Union.

Mr. CHANDLER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CHANDLER of Oklahoma. I want to call attention to the bill that calls for five permits to be granted in Alaska, on page 46, while they are limited to three elsewhere. How do they expect a man who has five permits to protect himself in case he finds oil or gas?

Mr. MONDELL. I want to say to my friend from Oklahoma, that I congratulate him and his committee that, whereas the former bill only allowed one lease in all the United States, his present bill allows three in each State in the Union. I congratulate the committee, and I take some credit for the change of mind on

their part, because that is one of the things I have been insisting upon from the time this bill was first introduced. Gentlemen will remember I insisted that the provision limiting an individual or corporation to one lease was not sound or fair. Like some other things I said in regard to this bill, that appeal for a time fell on deaf ears. Evidently the truth sufficiently insisted upon and frequently repeated will eventually sink in, particularly when addressed to the minds of intelligent gentlemen like those who constitute the Committee on the Public Lands. I congratulate the committee for having departed from the notion that an American citizen should have but one opportunity anywhere on the public domain to blow in his good money trying to discover oil.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

Mr. MONDELL. The committee of Wyoming and Colorado oil men who were here offered a number of amendments to this section, and most of them have, I think, been adopted by the committee. They all tend to make the legislation better. The provision which they proposed of three leases in a State does not appear in this section, but appears further over in the bill in another section, so that is provided for. The bill will go to conference and in the cloistered precincts of the conference committee gentlemen will have an opportunity to study all these things very carefully and examine and pass upon them with deliberation. Among other things, I hope they will somewhat modify the provision that limits to 640 acres the size of a permit within 10 miles of a producing well. This permit you will recall now ripens into a lease. I congratulate the committee on that modification finally brought about after long effort on the part of a few of us to accomplish that result. It must be apparent to everyone familiar with the situation that the provision that limits the acreage by the distance from a producing well is not a wise one. It is not the easiest thing in the world to arrive at any definite basis of determination, but the distance from a producing well is not a logical determining factor. Forty rods from a producing well may bring one into an entirely different geological structure and one may be the wildest sort of a wildcatter within rifle shot of a spouting well. On the other hand, one may be 10 miles from a producing well and still be in an area that gives abundant promise of a splendid product. The rule of distance is not a good rule. The rule of geological structure suggested by the oil men's committee is a sound one, and I congratulate the committee on having to a certain extent adopted that rule.

Mr. ELSTON. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. ELSTON. I thoroughly agree with the gentleman on that point. I think it was somewhat of a concession to an opinion which probably prevailed in the House that there was something inviolate in regard to the 640-acre limitation as to amount, and the 10-mile limit was thrown in to keep the similarity to the former bill and tie it up to it as closely as possible. There was no logic or any scientific reason for the 10-mile limitation, because everything the gentleman says is true. Within a few miles from a producing well you can have a different geological structure and that territory be as wildcat as anything and you can not find anything. But I believe the reasons that were urged in the way of policy and compromise have brought this section into the shape in which we now find it here.

Mr. MONDELL. I am glad the gentleman from California [Mr. Elston] takes that view, because this is a tremendously important section of the bill. In these provisions we are dealing entirely with future operations. We are not dealing with anyone who has heretofore attached a claim to the soil. We are dealing with the future and with the newcomer, and we want a law under which he can operate, under which he will be encouraged to operate and take the great chances that he always must take in oil development. At any rate, there should be a departure from this limitation of 640 acres, unless we confine the limitation of 640 acres, as suggested by the oil men, to the limits of a developed field.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STAFFORD. Mr. Chairman, I make the point of order there is no quorum present.

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise. It is a little after 5 o'clock, and we have had a pretty good day.

The motion was agreed to; and the Speaker having resumed the chair, Mr. DEWALT, Chairman of the Committee of the

Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. JOHN W. RAINEY, by unanimous consent, was granted leave of absence indefinitely, on account of illness in family.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2646. An act for the relief of Edward W. Whitaker; to the Committee on Military Affairs.

ADJOURNMENT.

Mr. FERRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Saturday, May 25, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting a proposed clause of legislation for inclusion in the next deficiency bill (H. Doc. No. 1127); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting draft of a proposed bill to amend section 7 of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917 (H. Doc. No. 1128); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting deficiency estimate of appropriation payable from the postal revenues for the fiscal year 1918 (H. Doc. No. 1129); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting an urgent deficiency estimate of appropriation required by the War Department for additional temporary employees for the fiscal year 1918 (H. Doc. No. 1130); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Oakland Harbor, Cal. (H. Doc. No. 1131); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CRAMTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 10403) for the relief of the heirs, assigns, and legal representatives of William Watson, reported the same without amendment, accompanied by a report (No. 601), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 5497) for the relief of Emma J. Spear reported the same without amendment, accompanied by a report (No. 602), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 6012) for the relief of N. Ferro, reported the same without amendment, accompanied by a report (No. 603), which said bill and report were referred to the Private Calendar.

Mr. ROMJUE, from the Committee on Claims, to which was referred the bill (H. R. 907) making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States, reported the same with amendment, accompanied by a report (No. 604), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: Resolution (H. Res. 368) requesting the Secretary of Agriculture to furnish certain information; to the Committee on Agriculture.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11718) granting an increase of pension to George S. Taylor, and the same was referred to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 12259) granting a pension to Elizabeth A. Lester; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 12260) granting an increase of pension to Ambrose White; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 12261) granting an increase of pension to John Jackson; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 12262) granting a pension to Anna Herlehy; to the Committee on Pensions.

By Mr. DUPRÉ: A bill (H. R. 12263) granting a pension to Widow Emma Golden; to the Committee on Pensions.

By Mr. FREEMAN: A bill (H. R. 12264) granting an increase of pension to Henry Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12265) granting an increase of pension to Daniel S. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12266) granting an increase of pension to Nehemiah Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12267) granting an increase of pension to Ransom House; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12268) granting an increase of pension to Calvin B. Beebe; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12269) granting an increase of pension to Henry Pfranger; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 12270) granting a pension to Sarah Ann Williamson; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 12271) granting an increase of pension to John H. Chatham, jr.; to the Committee on Pensions.

Also, a bill (H. R. 12272) granting an increase of pension to Edward H. Dalton; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 12273) for the relief of John Mangan; to the Committee on Military Affairs.

By Mr. REED: A bill (H. R. 12274) granting an increase of pension to John S. Brannan; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 12275) granting a pension to Etta A. Hood; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 12276) granting relief to Capt. J. C. Colwell, United States Navy, retired; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 12277) granting an increase of pension to James Boshane; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 12278) granting an increase of pension to Aaron Lewis; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 12279) granting an increase of pension to John A. Burns; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the St. Louis Photo-Engravers' Union, No. 10, protesting against the second-class postage provision of the war-revenue bill; to the Committee on Ways and Means.

Also (by request), resolution of the St. Louis Chamber of Commerce, recommending that a full census be taken in 1920; to the Committee on the Census.

Also (by request), resolution of the St. Louis Chamber of Commerce, favoring the immediate utilization of the waterways

to help relieve congested railroad conditions; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolution of the Associated Retail Confectioners of the United States, pledging unremitting support to the President and the Government in winning the war; to the Committee on Military Affairs.

Also (by request), memorial of the Associated Retail Confectioners of the United States, urging the passage of Senate bills 3955, 3956, 3957, and 3958; to the Committee on the Post Office and Post Roads.

Also (by request), petition of the congregation of the Metropolitan Presbyterian Church of Washington, D. C., asking for the enactment of a Sabbath law for the District of Columbia; to the Committee on the District of Columbia.

By Mr. FOCHT: Evidence in support of House bill 11830, granting an increase of pension to George W. Vawn; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 10565, granting a pension to Clarence W. Durr; to the Committee on Pensions.

By Mr. FULLER of Illinois: Petitions and memorials of the National Dairy Conference for the Promotion of Dairy Interests; the Periodical Publishers' Association; the Catholic Woman's League of Chicago; the General Assembly of the State of Rhode Island; Parke D. Holland, of Streator, Ill.; the World's Salesmanship Congress; and the Hoblit Community Club, of Atlanta, Ill., praying for the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

Also, petitions of the Ganesha Club, of Belvidere, Ill.; the Women's Missionary Society of Semonauk, Ill.; citizens of Morris, Ill.; the Sycamore Woman's Club, of Sycamore, Ill.; and the Illinois State Federation of Women's Clubs, favoring prohibition of the manufacture and sale of intoxicating liquors for the period of the war; to the Committee on Alcoholic Liquor Traffic.

By Mr. HAMILTON of Michigan: Memorial of the Woman's Progressive League of Niles, Mich., protesting against the use of the national parks for grazing purposes; to the Committee on the Public Lands.

Also, petition of citizens of the State of Michigan, relative to the length of freight trains, the equipment of cars, and other matters; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Resolutions of Rhode Island Bankers' Association, in opposition to Senate bill providing for guaranty of deposits not exceeding \$5,000 in national banks, etc.; to the Committee on Banking and Currency.

By Mr. KINKAID: Petition of citizens of Atkinson, Nebr., protesting against the postal-zone legislation and asking for its repeal; to the Committee on Ways and Means.

By Mr. NOLAN: Petition of J. B. F. Davis & Son, insurance brokers, and Berger & Carter Co., iron and steel machinery, both of San Francisco, Cal., favoring payment of income and excess-profit taxes in installments; to the Committee on Ways and Means.

By Mr. SNELL: Petition of the First Presbyterian Church, Morristown, N. Y., for the passage of a bill to effectively prohibit the use of any kind of foodstuffs during the war for the manufacture of intoxicating beverages and to limit liquors on hand to nonbeverage uses; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of the citizens of Otter Tail, Minn., for enactment of war prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of the Church Periodical Club, diocese of Massachusetts, relative to the increased postal rates for publishers effective July 1, 1918; to the Committee on Ways and Means.

Also, petition of the West Roxbury Women's Club, West Roxbury, Mass., on the increased postal rates for publishers effective July 1; to the Committee on Ways and Means.

SENATE.

SATURDAY, May 25, 1918.

Rev. J. L. Kibler, of the city of Washington, offered the following prayer:

We thank Thee, O God, for that voice which calls us, in our need, to look upward to Thee and which speaks to us as only God can speak to a human soul. We thank Thee for those lofty principles which emanate from Thee and which are born in our hearts under the influence of Thy redeeming love and which are designed to direct all our steps aright.

O God, help us to walk according to this rule. In all our hopes and plans and ambitions for peace or war, at home or abroad, on the land, on the sea, may we seek to make the world